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A HISTORY OF SIMONY IN THE CHRISTIAN CHURCH

FROM THE BEGINNING TO THE DEATH OF CHARLEMAGNE (814)

DISSERTATION FOR THE DOCTORATE IN THEOLOGY AT THE CATHOLIC UNIVERSITY OF AMERICA

BY THE

REVEREND N. A. WEBER, S.M., S.T.L.

BALTIMORE
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1909

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PREFACE

It is a well-known fact that in the long course of the history of the Church, there has never been a period when she was free from struggles. From the very day of her foundation till the present time she has been obliged to wage relentless war against internal and external foes. Her internal conflicts were brought about either by the failure of certain individuals to receive the complete body of her divine doctrine or by violations of the moral law over which she was appointed guardian. The two great moral evils at one time affecting the clergy were incontinency and simony. Ecclesiastical celibacy and its violations have been frequently and extensively written about; but it may be safely said that, up to the present day, simony has not received from historians the attention which it deserves. Yet its history throws considerable light on the vast problem of the relations between Church and State, as well as on the causes of the moral degeneracy of some members of the clergy. We have thought that perhaps it might not be altogether useless to present in the following pages a history of simony from the beginning of Christianity till the death of Charlemagne. Our first intention was to bring the sub-

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ject down to the time of Gregory VII. But the impossibility of handling in a work of this kind the wealth of existing material, became apparent in the course of the study and forced us to limit our scope. We have, therefore, devoted special attention to the period which concludes with the death of Gregory the Great (604), and brought down the history in a more concise form to the end of the reign of Charlemagne. As we go to press there comes into our hands a study of the same character. Unfortunately, however, it deals with a period considerably later than the limits imposed on the present writer.[1]

It is a pleasing duty for the author to acknowledge his indebtedness to the Very Reverend Doctor T. J. Shahan, Pro-Rector of the Catholic University of America, without whose aid, valuable suggestions and never-failing kindness, this work would not have been possible.

NICHOLAS A. WEBER.

WASHINGTON, D. C., February 2, 1909.

[1] Drehmann, *Papst Leo IX und die Simonie.* Ein Beitrag zur Untersuchung der Vorgeschichte des Investiturstreites. (Leipzig and Berlin, 1908.)

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CONTENTS

PAGE

PREFACE iii

ABBREVIATIONS xi

INTRODUCTION 1-12

CHAPTER I

SIMONY FROM THE BEGINNING OF THE CHRISTIAN ERA TO THE EDICT OF MILAN (313)

The close connection between the supernatural and the natural order — Simony contrary to the Natural Law — Judas sells Our Lord — Existence and identification of Simon Magus — His work in Samaria and his attempt to buy the Apostolic power — The condemnation of simony and its influence on subsequent times — Other causes of the infrequency of simony during this period — Tertullian's comparison of the venality of the pagan and the integrity of the Christian religion — Eusebius' description of the state of the Church — Paul of Samosata profits by his episcopal position to enrich himself — The origin of Donatism 13-29

CHAPTER II

PREVALENCE OF SIMONY FROM THE YEAR 313 TO 476

Ecclesiastical, judicial and civil power of the bishops — Their election — Simony among the Arians — Simony among Catholics — Gregory Nazianzen and Maximus the Cynic — Chrysostom and the accusa-

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tions against Antoninus of Ephesus — A synod of Ephesus and six simoniacal bishops — Chrysostom deposes Gerontius — Isidore of Pelusium and simony — Flavian of Constantinople and Chrysaphius — Ibas of Edessa accused of simony — Timothy Ailuros at Alexandria — Simony in Gaul; episcopal election at Châlon-sur-Saône — Election at Bourges 30-54

CHAPTER III

THE ATTITUDE OF CHURCH AND STATE TOWARDS SIMONY FROM 313 TO 476

Pope Siricius and ordinations — Utterances of Gregory Nazianzen and Ambrose — Conduct of Hilarion — Chrysostom and episcopal elections — Sulpicius Severus, Jerome, Augustine — The forty-eighth canon of Elvira — The councils of Nicaea, Antioch, Sardica — Letter of Basil — Pope Leo I — Some Apostolic Canons — The second canon of Chalcedon — The patriarch Gennadius and simony — Edict of the Eastern emperor Leo I — Similar edict of the emperor Glycerius 55-77

CHAPTER IV

SIMONY IN THE WEST FROM 476 TO 590

I. ROME AND ITALY:—Conditions at Rome during the period — Intervention of Odoacer in papal election — The election of Pope Symmachus — The designation of Boniface II — Vacancy after his death — Election of Silverius — Pope Vigilius — Pelagius I — Eucaristus and the bishopric of Volterra — Vitalis of Milan. II. FRANCE:—Clovis and his sons and the Church — Quintianus and Apollinaris and the see of Clermont — Gallus and the same see — Cautinus succeeds Gallus — The successor of Cau-

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tinus — The machinations against Aetherius, bishop of Lisieux — The see of Rodez and Transobadus — The bishopric of Uzès and the civil government — King Guntram and simony — Retrospect. III. OTHER COUNTRIES:—The Vandals and the African Church — Gildas on ecclesiastical conditions among the Britons..... 78-108

CHAPTER V

OPPOSITION TO SIMONY IN THE WEST FROM 476 TO 590

I. OPPOSITION AT ROME AND THROUGHOUT ITALY:—Latin translation of the second canon of Chalcedon — The Roman synod of 502 — The "Canonical Letter" and the "Liber Ecclesiasticorum Dogmatum" — Letter of Pope Gelasius I — Enactments of the Roman synod of the year 499 — Letter of Pope Symmachus to Caesarius of Arles — Pope Pelagius I and simony — Anti-simoniacal edict of King Athalaric.—II. OPPOSITION TO SIMONY IN FRANCE AND SPAIN:—Canons of the council of Orléans (533) — Council of Clermont (535) — The fifth synod of Orléans — The second council of Tours — Letter of Pope Hormisdas to the Spanish Church — The third synod of Braga..... 109-129

CHAPTER VI

SIMONY AND ANTI-SIMONIACAL LEGISLATION IN THE EAST FROM 476 TO 590

Special character of simony in the East — The question of the succession to Timothy Solofacialus in the see of Alexandria — Theodosius the Cœnobiarch and the emperor Anastasius — John the Recluse and Anastasius — Paul, patriarch of Alexandria — Justin II said to have been guilty of simoniacal dealings — Justinian's legislation against simony —

Digitized by Google

Qualifications of the episcopal candidate — Payment of admission fees prohibited — Oath required of episcopal electors — A passage of the Nomocanon of John Scholasticus — Anti-simoniacal legislation in Armenia and Syria..... 130-145

CHAPTER VII

GREGORY THE GREAT AND SIMONY IN THE WEST (590-604)

I. ITALY:—State of Italy at Gregory's accession — Testimony of Agnellus relative to the prevalence of simony — Gregory and the archiepiscopal see of Milan — Gregory and Januarius — The former's instructions to Castorius — Council of Rome (595); its decree against simony. II. FRANCE:—Political division of France at Gregory's accession — Ecclesiastical conditions — Statements regarding the existence of simony — Gregory's letter to Bishop Vergilius of Arles — Other letters of his — He writes to Queen Brunehilde — His letter of 599 to the bishops of Gaul — Convocation of a council urged — Another letter to the queen — Fruitlessness of the pope's efforts — New campaign against the evil — Letters to bishops and kings — Council to be held — Gregory's efforts are again fruitless — Simony in Spain..... 146-172

CHAPTER VIII

GREGORY THE GREAT AND SIMONY IN THE EASTERN EMPIRE

I. ASIA, EGYPT AND EASTERN EUROPE:—Ecclesiastical policy of the Eastern emperors — Corruption in the empire — Letters of Gregory to Anastasius of Antioch and Isacius of Jerusalem — The church of Alexandria — Unknown result of Gregory's activity — Eastern Europe — Trial of Anastasius of Cor-

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inth — Instructions to his successor and to the bishops of Epirus — The church of Salona; Gregory's instructions to his representative Antoninus — Honoratus elected bishop of Salona — Honoratus opposed by Maximus — The latter's consecration — Conflict between Gregory and Maximus — Maximus makes his submission. II. NORTH-WESTERN AFRICA:—Ecclesiastical division of the country — The primatial dignity — Donatism — Catholics allow Donatists to rebaptize them for a bribe — Catholic bishops yield to bribery — Gregory appeals to the civil government for help against the Donatists — He vainly tries to introduce a new primatial organization — The cases of Bishops Argentius, Maximus and Paulinus to be investigated at synods — Letters to Bishops Columbus and Adeodatus — Council of Carthage — Doubtful Numidian council — Gregory's success in Africa only partial — His influence on Canon Law 173-199

CHAPTER IX

SIMONY IN THE WEST FROM THE DEATH OF GREGORY THE GREAT TO THE DEATH OF CHARLEMAGNE (604-814)

I. PREVALENCE OF SIMONY:—Papal elections and the civil power — Pope Zachary, Boniface and the pallium-affair — Charlemagne, Alcuin and simony in Italy — Simony in France — Occurrences at Soissons and Clermont — Charles Martel — Ecclesiastical conditions under the Carolingians — Simony in Spain and in England. II. ANTI-SIMONIACAL LEGISLATION:—The *Liber Diurnus* in Italy — The Capitulary of Mantua; the council of Rome and that of Forojulium — Councils in France — Regulations on special topics — Spanish and Anglo-Saxon legislation 200-223

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CHAPTER X

SIMONY IN THE EAST FROM 604 TO 814

John Eleemosynarius and simony — Prohibitions of simony by the council in Trullo — The seventh ecumenical council and episcopal appointments — Controversy regarding its fifth canon — Admission to monasteries — The patriarch Tarasius and his controversy with the monks of Constantinople — Conclusion 224-241

BIBLIOGRAPHY 243-248
INDEX 249-254

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PRINCIPAL ABBREVIATIONS USED IN THE WORK

AA. SS. = Acta Sanctorum Bollandiana.
Bibl. Rer. Ger. = Bibliotheca Rerum Germanicarum.
Bouquet = Recueil des Historiens des Gaules, edited by Bouquet-Delisle.
Gams, Kg. v. Span. = Gams, Kirchengeschichte von Spanien.
Hefele or Hefele Cg. or Concg. = Hefele, Conciliengeschichte.
Jaffé or Jaffé Reg. = Regesta Pontificum Romanorum, edited by Jaffé-Löwenfeld, etc.
Lib. Pont. = Liber Pontificalis.
Mansi = Sacrorum Conciliorum Collectio, edited by Mansi.
MGH. Auct. Ant. = Monumenta Germaniae Historica, Auctores Antiquissimi.
MGH. Epp. = Monumenta Germaniae Historica, Epistolae.
MGH. SS. = Monumenta Germaniae Historica, Scriptores.
PG. = Migne, Patrologia Graeca.
PL. = Migne, Patrologia Latina.[1]
Thiel or Thiel, Epp. = Epistolae Romanorum Pontificum, edited by Thiel.

[1] In referring to these two collections (PG. and PL.) only Arabic numerals are used; the first number refers to the volume, the second to the column.

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A HISTORY OF SIMONY

INTRODUCTION

SIMONY AS IT IS UNDERSTOOD TO-DAY; ITS TREATMENT IN THE PRESENT WORK

The word simony is of late origin and acquired its present meaning by a gradual process. The first step towards its introduction was taken when the sale of supernatural favors for temporal advantages was considered in relation with the sin of Simon Magus (*Acts,* VIII, 18-24). Several of the fathers of the fourth century, as Basil, Ambrose, Chrysostom, Jerome, instituted such a comparison.[1] From this assertion of similarity in sin, it was but a step to the use of the adjective "simoniacal," which is found in Pelagius I[2] and is of such frequent occurrence in the correspondence of Gregory the Great. The noun "simony" came into use at a still later date.

As to the thing itself for which simony stands, it is found in the very beginning of the Christian religion and, to a considerable extent, even in

[1] See below, pp. 57, 58, 59, 63 and also p. 64, where the thirtieth canon of the Apostles is given.

[2] *Lib. Pont.* I, 303, ed. Duchesne.

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pre-Christian times. But before we enter upon any historical discussion, a brief exposition of simony as it is understood to-day seems necessary. In this matter modern writers usually adopt the definition of Thomas Aquinas;[3] "A deliberate design of selling or buying for a temporal price, such things as are spiritual or annexed unto spirituals." To this definition, however, there are serious objections, already pointed out by Leinz.[4] In the first place it speaks only of purchase and sale, whereas any contract, any legally binding transaction, in which an exchange of the above-specified objects takes place, suffices to constitute the sin of simony. Secondly, the term "spiritual" is too comprehensive to be used here; for there can be question only of a certain class of spiritual things. The natural knowledge of the human mind is undoubtedly spiritual; yet it has absolutely nothing to do with simony. Only such spiritual objects as are conducive to the eternal happiness of the soul, or in some way connected with it, come under consideration. In general language it is, of course, permissible to use the term spiritual in this restricted sense; but it is

[3] *Summa Theol.* IIda, IIdae, Quaest. 100, a. 1. "Studiosa voluntas emendi vel vendendi aliquid spirituale, vel spirituali annexum [pretio temporali]."

[4] *Die Simonie* (Freiburg, 1902), 40-41. Also *Archiv für Kath. Kirchenrecht* (1897), LXXVII, 267-72.

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out of place in a definition. The word supernatural should be substituted for the word spiritual; for, although everything supernatural is also spiritual, the reverse is not true. With regard to the extent of the definition, we may for the moment overlook the fact that it does not include that class of simony having its origin in merely ecclesiastical law (*simonia juris ecclesiastici*), this being a variable and accidental amplification of the term.

From the preceding considerations we are led to define simony: "The intended or real exchange of a supernatural good, or a natural good annexed thereto, for something that is temporal." Three elements may here be distinguished: 1. The supernatural object; 2. The temporal price; 3. The idea of exchange. The existence of a deliberate intention to make an exchange of a supernatural good for a natural suffices for the commission of simony; for this sin, like every other, may be committed merely internally. Its very nature, however, usually leads to an external expression of the intention and so much so that some writers use the word simony only where there has been such an expression. As the Church does not judge of interior dispositions, it is certain that ecclesiastical penalties are incurred only by some outward manifestation. The giving of one thing as the price of another is not an indispensable

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requisite for the existence of simony; it suffices that the determining motive of the action of one party be to obtain compensation from the other.[5] But this should not be taken to mean that simony is committed by one who, in the hope of obtaining through gratitude an ecclesiastical benefice or such like favor, obliges his ecclesiastical superior in a temporal fashion.

The temporal price is commonly distinguished, according to Canon Law[6] into the "*Munus a manu, munus a lingua* and *munus ab obsequio.*" The "*munus a manu*" comprises not only money, but also all movable or immovable property and all rights appreciable in monetary value. The "*Munus a lingua*" includes oral commendation, public expressions of approval, moral support in high places; for example, the appointment to a benefice with the understanding that in influential circles the appointee will speak favorably of the person to whom he owes his office. The demonstration of undue subjection and the rendering of services not due to a person, with the intention of obtaining compensation, are expressed in the "*munus ab obsequio.*"

By the supernatural object which is estimated

[5] See the condemned proposition of Innocent XI on this point, Denzinger-Bannwart, *Enchiridion*, 10th ed. (Freiburg, 1908), no. 1195.

[6] c. 114, C. 1. q. 1.

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at temporal value, we understand not only sanctifying grace, but whatever directly procures the eternal welfare of the soul, *e. g.*, the Sacraments, the Sacramentals. Moreover, there are things which, although natural in themselves, are, when considered in the concrete, intimately and inseparably connected with the supernatural, such as ecclesiastical benefices and the right of patronage. To sell them is simoniacal.

Simony as thus far described is prohibited by natural and positive divine law. The Church in her legislation went beyond these prohibitions, and as a consequence we now have simony of mere ecclesiastical law (*simonia juris ecclesiastici*). For, according to the more probable theological opinion, the ecclesiastical authority has the right to proscribe as simoniacal, morally indifferent actions, because of the simoniacal danger which they present. In this manner, the exchange of an object partly supernatural for another of the same nature is simoniacal to-day, as is also any arrangement respecting the same things entered into in a way contrary to the canons and intended to impose reciprocal obligations. Thus, to cite only one instance, the exchange of one benefice for another by private authority is simoniacal, although it is a transaction in things of the same character.[7]

[7] cc. 5 and 7. De Rerum permutatione, III, 19.

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Both natural and ecclesiastical simony may be divided into mental, conventional, and real (*simonia mentalis, conventionalis, et realis*). Mental simony is characterized either by the absence of all outward expression or, according to others, by the lack of approval on the part of the person to whom the proposal is made.[8] In conventional simony an expressed or tacit agreement is entered upon. It is subdivided into merely conventional, where neither party has fulfilled any of the terms of the agreement, and into mixed conventional, in which one party has at least partly complied with the assumed obligations. To the latter subdivision may be referred what has been aptly termed confidential simony (*simonia confidentialis*), in which an ecclesiastical benefice is procured for a certain person with the agreement that, later he will either resign in favor of the one who procured him the benefice or divide with him the revenues. When the stipulations of the mutual agreement have been either partly or completely carried out by both parties, we have what is called real simony.

If we now inquire into the gravity of the simoniacal sin, we must carefully distinguish between what is simoniacal by Natural Law and what has

[8] Génicot, *Theologiae moralis Institutiones*, 5th ed. (Louvain, 1905), I, 265; Santi-Leitner, *Praelectiones Juris Canonici*, 4th ed. (Ratisbon, 1905), Lib. V, 13-14. His treatment of simony runs from pp. 10-49.

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become such through ecclesiastical legislation. If the Natural Law and consequently the positive Divine Law has been violated, the sin, objectively considered, is mortal in every instance (*mortalis ex toto genere suo*). Only the absence of the subjective dispositions required for grievous sin can transform the transgression into a venial one. The reason for this is found in the existence of a sacrilegious depreciation of things pertaining to the supernatural order. Laws merely ecclesiastical bearing on this point do not all, and under all circumstances, impose a grave obligation. The presumption is that the church authority did not intend the law to be grievously binding in small details. An ecclesiastical prohibition of simony in vigor during one period may even be completely abolished during another. It is certain that the ecclesiastic may accept an offering for his spiritual ministrations and equally as certain that he cannot accept or exact anything in payment for them. But as far as the minister and even sacred things are concerned, the appearance or the danger of simony may or may not exist under certain given circumstances. The payment of pew-rent cannot at the present day be seriously impugned on the ground that it is simoniacal. Its equivalent, the payment for seats at the church door, is of more objectionable appearance because it resembles the payment of an admission fee. It may not be

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irrelevant to note that the exaction of a compulsory contribution at the church entrance from the faithful who wish to hear Mass on Sundays and Holy days was prohibited by the second [9] and third [10] Plenary Councils of Baltimore (1866, 1884).

Among the canonical penalties enacted against simony, the following may be mentioned:—The collation of a benefice is void, if, in obtaining it, the appointee either committed simony himself or, at least tacitly approved of its commission by a third party.[12] Should he have taken possession, he is bound to resign and restore all the revenues he received during his tenure.[12] Simply reserved excommunication is pronounced in the Constitution "Apostolicae Sedis" (October 12, 1869): 1. Against persons guilty of real simony in any benefices and against their accomplices; 2. Against any persons, whatsoever their dignity, guilty of confidential simony in any benefices; 3. Against such as are guilty of simony because of their venal admission into a Religious Order; 4. Against all persons inferior to the bishops, who

[9] *Decreta Conc. Plenarii Balt.* II, no. 397 (Baltimore, 1868).

[10] *Decreta Conc. Plenarii Balt.* III, no. 288 (Baltimore, 1886).

[11] Extrav. c. 2, v. 1. Inter communes, De Simonia; c. 23, De Simonia, v, 3.

[12] c. 50. De Elect. I, 6.

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derive gain (quaestum facientes) from indulgences and other spiritual graces; 5. Against those who collecting stipends for Masses, realize a profit on them by having the Masses celebrated in places where smaller stipends are usually given.[13] The last mentioned provision was supplemented by subsequent decrees of the Sacred Congregation of the Council. The decree "Vigilanti,"[14] of the 25th of May, 1893, laid booksellers under the obligation not to accept Mass-stipends, the Masses to be assigned to priests who would receive payment only in books or in subscriptions to periodicals. The decree "Ut Debita,"[15] published on the 11th of May, 1904, prohibited the arrangements sometimes proposed by the guardians of shrines, according to which they agree to apply a part of the offering of the faithful for Masses and the remainder for other pious purposes. The penalties incurred by offenders against the latter enactments are: *a.* For persons in Sacred Orders, suspension *ipso facto* from their functions; *b.* Inability to receive higher orders for clerics not yet raised to the priesthood; *c.* Excommunication of pronounced sentence (latae sententiae) for laymen.

In thus outlining the meaning of the word

[13] *Apost. Sedis*, II Class, nos. 8-12.

[14] *Acta Sanctae Sedis*, XXVI, 56-59.

[15] *Acta S. Sedis*, XXXVI, 672-76; See also the Letter "*Recenti Decreto*" of the 22d May, 1907, *ibid.* XL, 344-46.

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simony at the present day, it was not the author's intention to lay down a hard and fast rule which should be his sole guide in the selection of the facts and laws to be included in this history. As is evident from what has already been said, there are two distinct elements in simony: one permanent, the other variable. Some actions are simoniacal in themselves, by their very nature; others become so in consequence of ecclesiastical prohibitions. The Church can evidently abrogate laws which she has framed in virtue of her own merely ecclesiastical authority. Historical circumstances, social conditions and public opinion may change from one period to another. As a result, certain actions and practices which are prohibited at one epoch as involving a danger or an appearance of simony, may become perfectly lawful with the change in time and environment and the consequent modification in legislation.

Such variations in the policy of the Church, far from detracting from the holiness of her laws and institutions, are but proofs of her vitality and power of adaptability. In shaping her legislation concerning simony to meet the needs and exigencies of the time, she judiciously and securely steered her course between two apparently conflicting duties devolving upon her: the necessity of safeguarding the high dignity of her supernatural treasures and that of assuring an honest

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livelihood to her ministers. If, therefore, certain practices obtain at the present day which in former times were viewed as simoniacal and hence prohibited, it does not necessarily follow that their present existence is open to censure. The reception of a donation by the sacred minister on occasion of the performance of certain ecclesiastical functions was frequently prohibited during the first eight centuries: yet it cannot be claimed that the laws then enacted in this regard should be enforced indiscriminately and universally in our own time. Although it was the law in the early ecclesiastical history of Spain not to accept any emolument at the administration of baptism, it would be unjustifiable to censure the contrary practice at present very generally prevalent. Likewise the enactments prohibiting the acceptance of money for places of burial, distribution of holy chrism and the drawing up of the charters conferring the pallium seem to have fallen into desuetude.

Mention is also made of some events and laws which, at first glance, do not always appear to have been directly connected with simony even during the period covered by the work. To this class may perhaps be referred the payment of a sum of money to the emperors for their confirmation of the newly elected pope, and the presentation of gifts to kings for their confirmation of bishops-

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elect. But the practices just mentioned certainly involved a danger of simony, and writers contemporary with the events usually speak disapprovingly at least of the offer of presents to kings on the occasion of episcopal appointments. As to legislation, it must be observed that some enactments, though not anti-simoniacal in their wording, nevertheless indirectly made for the suppression of simony and were framed with a view to its eradication. Of this sort was, *e. g.*, the law prohibiting the alienation of church property. It will easily be perceived how this law operated, if it is remembered that some bishops used the funds of the church treasury to redeem their promises of reward to those who had supported their candidacy. Summing up these remarks respecting the treatment of the subject, we may say that we have sometimes included in this study what is only remotely connected with simony, but yet facilitates the correct appreciation of persons and things spoken of in the following pages.

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CHAPTER I

SIMONY FROM THE BEGINNING OF THE CHRISTIAN ERA TO THE EDICT OF MILAN (313)

The close connection between the supernatural and the natural order — Simony contrary to the Natural Law — Judas sells Our Lord — Existence and identification of Simon Magus — His work in Samaria and his attempt to buy the Apostolic power — The condemnation of simony and its influence on subsequent times — Other causes of the infrequency of simony during this period — Tertullian's comparison of the venality of the pagan and the integrity of the Christian religion — Eusebius' description of the state of the Church — Paul of Samosata profits by his episcopal position to enrich himself — The origin of Donatism.

THE CLOSE connection existing between the supernatural and the natural order and the consequent difficulty of drawing a line of demarcation between the two, was a cause of great conflicts in every period of Ecclesiastical History. The failure of the state authority in imperial Rome to distinguish between the civil and the ecclesiastical power led to the violent persecutions that mark the beginnings of Christianity. Less bloody but not less bitter conflicts followed. Even after their conversion to the Christian faith, the Roman em-

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perors, conscious of the great civil power at their command, too frequently insisted with great obstinacy upon governing not only the empire, but also the Church. The papal bestowal of the imperial title on Teutonic rulers (800) led eventually to the momentous struggle between the Papacy and the Empire, which opened with the Investiture contest and ended in the ruin of the great House of the Hohenstaufen. Later the consolidation of the French royal power brought with it exorbitant pretensions of the civil authority to supremacy in ecclesiastical affairs. Numerous more recent examples of civil prepotency in this province, it is unnecessary to quote. Under various forms it is the problem ever-recurring and practically ever-unsolved, of the relations between Church and State. These relations constitute but one of the issues involved in the great question of the intimate co-existence of the temporal and the spiritual order. They may be the most universal and important part of the question; they are not the only one. That difficulties should arise on this point is readily understood; this emperor or that king may have had an exaggerated idea of his exalted temporal dignity and its inherent rights. Such an error, when followed up in practice, would naturally beget disastrous religious consequences. But it is somewhat surprising to behold the Church confronted with interior, domestic diffi-

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culties arising from the very close relation between the two orders—the natural and the supernatural, especially when her own sacred ministers are either sole or partial agents. The latter, however, frequently either deliberately ignored or unwittingly overlooked the distinction between the material or temporal and the spiritual. That some of the laity quickly followed suit is easily understood. The material traffic in supernatural things, at first isolated, then sporadic in its manifestation in the Christian Church, increased by degrees to such an extent and became so widespread and universal that simony was one of the crying evils, one of the worst abuses that ecclesiastical authority had to contend against. Confining ourselves to the New Testament,[1] we meet it at the very origin of the Christian religion, and that, in spite of the clearness of the Natural Law itself on this point. The sinful character of simony is easily perceived by unaided human reason. It manifests itself, as Thomas Aquinas[2] has clearly distinguished, whether we consider God, the objects of the transaction, or the transacting parties. The dignity of God is thereby outraged; and, as the Canon Law expresses it,[3] man makes the Holy

[1] For the *Old Test.* see IV Kings, v. 20 seqq. Exodus, XXIII, 8. Numbers, XXII, 7, 17, 37. Mich. III, 11.

[2] *Summa Theol.* II, IIdae, Quaest. 100, Art. 1.

[3] c. 21, C. 1. Q. 1.

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Spirit his own servant and disposes of Him. A spiritual object, infinitely superior to anything temporal, is estimated at a material or at least transitory value. It was this reason that the apostle Peter cited in his condemnation of Simon Magus. As to the transacting parties, the seller is not the possessor of the spiritual grace, but merely an administrator, a dispenser, a distributor of treasures owned or favors granted by another. Hence he cannot sell these as if they were his own property, and the purchaser cannot acquire them. The Divine Law, as expressed in the New Testament, is but a re-statement, without any addition, of a prohibition which can be known by our natural faculties. Human Law, both ecclesiastical and civil, amplified and extended the prohibition. Through it, some intentions or actions became simoniacal because they were forbidden; while, according to Natural and Divine Law, some intentions or actions were forbidden because they were simoniacal. In several New Testament passages,[4] directions are written down for the ministers of Christ, regarding the possession of earthly goods and the reception of temporal rewards. None of the texts makes any substantial addition to the content of that of Matthew, which reads as follows in the Douay version: "Heal the

[4] Matth. x, 8-10; Mark, vi, 8-11; Luke, ix, 3; x, 4-12; xx, 35; I Cor. ix, 4, 7-14; I Tim. v, 17-18; I Pet. v, 2.

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sick, raise the dead, cleanse the lepers, cast out devils; freely have you received, freely give. Do not possess gold, nor silver, nor money in your purses; nor scrip for your journey, nor two coats, nor shoes, nor a staff; for the workman is worthy of his meat."

It has been said,[5] with some truth, that in the first instance of simony which we meet in the Christian Church, one of its perpetrators was a member of the Apostolic College. Judas [6] sold our Lord Jesus Christ, the Author of the spiritual life. But the crime bore such an exceptional and repulsive character; its consequences were so tragic and appalling, that the apparently simoniacal feature of the act became secondary in men's minds and rightly received but scant mention in history. The origin and name of the evil in the Church is connected with Simon Magus, a personage whose history has been greatly obscured. According to the system excogitated by the Tübingen School and defended to-day in at least a modified form by P. W. Schmiedel [7] and others,[8] Simon Magus was merely a name of reproach applied to the apostle Paul, and the opposition between Peter and Simon only a phase of Petrine

[5] Leinz, *Die Simonie*, 1. [6] Matth. xxvi, 14-16, 47-51.

[7] Cheyne and Black, *Encycl. Bibl.* iv, 4536-60 (London, 1903).

[8] See Hans Waitz, in *Realenc. f. prot. Theol.* 3d ed. s. v. Simon der Magier.

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and Pauline antagonism. The older representatives of the School went so far as to deny the historical reality of Simon. A. Hilgenfeld, (who later admitted Simon to be an historical personage different from Paul), claimed the parentage of the startling discovery.[9] However, ingenious and bold hypotheses, cannot remove extant historical evidences. That much of the early Christian literature regarding Simon Magus is apocryphal we may admit without conceding that wherever Simon's name occurs, we ought to read that of Paul. Nor does it seem justifiable to identify the Simon mentioned by Josephus[10] who was a native of Cyprus with his notorious namesake of early Christian literature. Yet this identification was attempted very recently by Mgr. Le Camus.[11] The words of Justin Martyr are so emphatic[12] that they force us to regard Gitton, a town of Samaria, as the birth-place of Simon Magus. Justin, himself a native of Samaria, in the generation that followed Simon's death, must have been well informed and would not have repeatedly[13] placed such a celebrity before us as one of his own countrymen unless the fact were universally

[9] *Der Magier Simon, Zeitsch. f. Wiss. Theol.* (1868), 357-396, with references given there.

[10] *Antiq.* XX, vii, 2.

[11] *L'Oeuvre des Apôtres*, I, 152 (Paris, 1905).

[12] *Apolog.* I, c. 26.

[13] *Apolog.* I, c. 56; *Apolog.* II, c. 15.

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admitted. The prevalence of this name among the Jews and the appearance of a large number of magicians at this very time account satisfactorily for the simultaneous existence of two Simons, both magicians. At all events, reliable ante-Nicene ecclesiastical writers, posterior to Justin, invariably speak of Simon as a Samaritan.[14] Nothing trustworthy is known regarding his early life. The Acts of the Apostles give us the first details of his extraordinary public career. We read:[15]

"And Philip going down to the city of Samaria, preached Christ unto them. And the people with one accord were attentive to those things which were said by Philip, hearing, and seeing the miracles which he did. For many of them who had unclean spirits, crying with a loud voice, went out. And many, taken with the palsy, and that were lame, were healed. There was therefore great joy in that city. Now there was a certain man named Simon, who before had been a magician in that city, seducing the people of

[14] For the history of Simon, see Justin, *Dial. c. Tryph.* n. 120; Irenaeus, *Adv. Haereses*, Lib. I, c. 23; II, cc. 9, 31; IV, 6; Tertull. *De Anima*, c. 34; Origen, *Contra Celsum*, VI, c. 11; Hippol. *Philosophumena*, VI, 2; Euseb. *Hist. Eccl.* II, 3; Hegesipp. in Euseb. *l. c.* IV, 22. The *Clementine Homilies* and *Recognitions* and other apocryphal writings contain frequent references to Simon. See Lipsius, *Die Apokr. Apostelgesch. u. Apostellegenden* (Brunswick, 1883-90), in index s. v. Simon Magus.

[15] *Acts*, VIII, 5-25.

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Samaria, giving out that he was some great one: to whom they all gave ear, from the least to the greatest, saying: This man is the power of God, which is called great. And they were attentive to him, because, for a long time, he had bewitched them with his magical practices. But when they had believed Philip preaching of the kingdom of God, in the name of Jesus Christ, they were baptized, both men and women. Then Simon himself believed also; and being baptized, he adhered to Philip. And being astonished, wondered to see the signs and exceeding great miracles which were done. Now when the apostles, who were in Jerusalem, had heard that Samaria had received the word of God, they sent unto them Peter and John. Who, when they were come, prayed for them, that they might receive the Holy Ghost. For he was not as yet come upon any of them; but they were only baptized in the name of the Lord Jesus. Then they laid their hands upon them, and they received the Holy Ghost. And when Simon saw, that by the imposition of the hands of the apostles, the Holy Ghost was given, he offered them money, saying: Give me also this power, that on whomsoever I shall lay my hands, he may receive the Holy Ghost. But Peter said to him: Keep thy money to thyself, to perish with thee, because thou hast thought that the gift of God may be purchased with money. Thou hast no part nor lot in this matter. For thy heart is not right in the sight of God. Do penance therefore for this thy wickedness; and pray to God, that perhaps this thought of thy heart may be forgiven thee. For I see thou art in the

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gall of bitterness, and in the bonds of iniquity. Then Simon answering, said: Pray you for me to the Lord, that none of these things which you have spoken may come upon me." [16]

Simon had therefore been displaying his power for some time in Samaria, when the deacon Philip came there to preach the gospel. His magical arts had procured him a numerous following. The miraculous works of Philip, however, completely destroyed his influence over the people. Simon himself was converted and received baptism. Whatever may be held of the sincerity of his conversion, it would appear that he was more impressed by exterior signs, present and tangible things, than by the thought of the interior dispositions which must accompany the true profession of Christianity. For we read that Simon "being astonished, wondered to see the signs and exceeding great miracles which were done." And again the Apostle says: "For thy heart is not right in the sight of God." The magician's answer to Peter: "Pray you for me to the Lord, that none of these things which you have spoken may come upon me," bespeaks fear, not penitence. Simon merely wishes to avoid the punishment

[16] A detailed but now somewhat antiquated discussion of the passage just cited will be found in Ketwich, *De Simonia*, 5-29. (Leyden, 1845.)

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which he has incurred. Perhaps this lack of interior dispositions also accounts for the doubting clause in the words of Peter: "Pray to God, that perhaps this thought of thy heart may be forgiven thee." It was his great appreciation of extraordinary powers and of the advantages he might derive from their possession that prompted the magician to offer money for "the gift of God." All this explains why the severe denunciation of Peter overlooks the exterior attempt and speaks only of the intention, "the thought, the heart": "Because thou hast thought that the gift of God may be purchased with money."

This is not the place to discuss the theological system of Simon. Varied indeed has been its exposition by ancient Christian writers. Amid their many conflicting statements one thing is certain, namely, that the magician claimed for himself divine power. He became the founder of the heretical sect of the Simonians which was still flourishing in the second century. Christian antiquity and the Middle Ages looked upon him as the father of heresy; in the latter period simony was frequently denounced as heresy, among other reasons, as Kranzfelder [17] rightly observes, for the purpose of inspiring a horror of this sin.

In the days of the emperor Claudius (A. D. 41-

[17] *Gregorius des Grossen ausgewählte Briefe* (Kempten, 1874), 95, note 1.

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54) Simon, according to Justin,[18] came to Rome, where divine honors were paid him. A statue was erected to him on the Tiber Island and dedicated to the "god Simon" (*Simoni deo Sancto*). The statement regarding Simon's presence in Rome is probably the expression of a tradition current in the Roman community in Justin's time and can therefore hardly be rejected. As to the allegation that a statue was raised to Simon, it is probably based on an error. In the year 1574 there was dug up in the very place indicated by Justin as the site of this monument, the base of a statue bearing the inscription: "*Semoni Sanco Deo.*" Now Semo Sancus was a Sabine god. While it cannot be proved with absolute certainty that Justin erroneously referred these very words to Simon the Magician, most scholars are inclined to discard his testimony in this matter and to identify the two inscriptions.

There is no trace in the earliest writers, such as Hegesippus, Justin and Irenaeus, of the tradition that Peter met Simon at Rome and there withstood him. Nor can any credence be placed in the fabulous accounts which narrate the time, place and other circumstances of Simon's death.[19]

[18] *ll. cc.*

[19] See Lipsius, *De Apokryph. Apostelgesch.* II, 1, 66 seqq.; *ibid.* 33 seqq. and passim; Salmon in *Dict. Christ. Biog.* s. v. Simon Magus; Waitz, in *Realenc. f. Prot. Theol.* 3d ed. s. v. Simon der Magier.

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After Simon, but few instances of simony are recorded in pre-Constantinian times. All of them may not be known to us, owing to the incomplete and fragmentary character of our documents pertaining to this period. But judging from historical circumstances, the evil did not and could not assume large proportions. The attempt of Simon Magus, so clear and unmistakable in its manifestation and so mercilessly condemned by Peter, made a vivid impression on the succeeding Christian generations. That its restraining influence was of a far-reaching nature, is evident from the great notoriety the incident received. Union between Church and State, at a later date frequently the cause of simoniacal transgressions, did not exist. The relations between the two powers were hardly ever friendly, generally either indifferent or hostile. No civil privileges were connected with ecclesiastical dignities. The hostility of the state frequently manifested itself in physical violence against the Christians, and first and foremost against the clergy, among whom, owing to their station, the traffic in spiritual things is more apt to take place. Ecclesiastical positions were posts of danger and self-sacrifice rather than of ease and honor. They were little sought after by persons in quest of worldly consideration and lucrative places. The bishops and the other ecclesiastical ministers had too high a sense of their

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responsibilities, of the exemplary personal sanctity required of them to engage in simoniacal practices. Enormous and oft-repeated were the charges brought against the Christians by both Pagans and Jews. Heretics were prompt in noting and stigmatizing their alleged contraventions to the law of Christ. But never do any of them so much as hint at the sin of simony. Tertullian contrasts the venality of the Pagan religion with the integrity of the Christian.[20] The very gods are for sale in heathenism; their worshippers sell them and, in return, no one is admitted to the knowledge of the gods free of charge. "*Non licet deos nosse gratis: venales sunt.*" A fee is exacted for room in the temple, for the very admittance thereto. Different is the religion of the Christians; we read:

"All the Elders, our rulers, are men of demonstrated character, who have obtained that honor not by money but by election. No market-value is set upon anything in our religion. We have indeed boxes for offerings; . . . . contributions, however, are not compulsory, but spontaneous." [21]

However, ruled by men and dealing with men, the Church had ever the source of simony within herself. Ambition and the love of wealth and ease, are to be met with in every human heart and

[20] *Apologetic.* c. XIII.
[21] *Apolog.* c. XXXIX. Cfr. also Justin, *Apolog.* I, c. 67.

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are bound to manifest themselves in any great and durable human organization, however lofty its principles and end. We learn from Eusebius that even during the first three centuries of its existence, harmony and disinterestedness were not universally practiced by the Christian community. In speaking of the period immediately preceding the Diocletian persecution, he writes, with some exaggeration, however: "But when on account of the abundant freedom, we fell into laxity and sloth, and envied and reviled each other, and were almost, as it were, taking up arms against one another, rulers assailing rulers, with words like spears, and people forming parties against people, and monstrous hypocrisy and dissimulation rising to the greatest height of wickedness, the divine judgment with forbearance, as is its pleasure, while the multitudes yet continued to assemble, gently and moderately harassed the episcopacy. This persecution began with the brethren in the army. But as if without sensibility, we were not eager to make the Deity favorable and propitious; and some, like atheists, thought that our affairs were unheeded and ungoverned; and thus we added one wickedness to another. And those esteemed our shepherds casting aside the bond of piety, were excited to conflicts with one another, and did nothing else than heap up strifes and threats and jealousy and enmity and hatred to-

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ward each other, like tyrants eagerly endeavoring to assert their power." [22]

Shortly before the time to which these words refer, a charge of simoniacal dealings was brought against the famous Paul of Samosata, bishop of Antioch (c. 260-72), by the council that pronounced his condemnation (c. 268). The passage of the condemnatory encyclical letter which refers to him, is reproduced by Eusebius [23] and reads as follows: "Whereas he has abandoned the rule of faith, and has turned aside after base and false doctrines, there is no necessity of judging his conduct, since he is outside the Church. We need not speak of the fact that he who was formerly in poverty and destitution and who had received no wealth from his fathers, nor made anything by trade or business, has now arrived at excessive wealth by his iniquities and sacrileges and his extortions from the brethren; that he deprives the injured of their rights, and promises them assistance for remuneration, yet deceives them and plunders those who, in their trouble, are ready with their gifts so as to obtain reconciliation with

[22] *Hist. Eccl.* VIII, 1. *Griechische Christl. Schriftsteller, Eusebius*, II, II, 738, ed. Schwartz and Mommsen (Leipzig, 1908). The Eng. translation is that of McGiffert in vol. I of the *Nicene and Post-Nicene Fathers* (2d ser.), ed. by Schaff and Wace (New York, 1904).

[23] Euseb. *H. E.*, VII, 30.

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their oppressors. We shall say nothing of his making merchandise of piety." [24]

As is seen, the document does not cite any specific facts, but it gives us clearly to understand that Paul freely and extensively used his spiritual office to enrich himself.

Bribery is found at the origin of the Donatist schism. At the death of Mensurius (311), Cecilian, his archdeacon, had been elected bishop of Carthage by the majority, but was rejected by the seventy Numidian bishops, under the leadership of Secundus of Tigisis.[25] The votes of these same bishops, cast for Majorinus, were bought by the wealthy Lucilla.[26] It is said that a well-merited public rebuke, which she had incurred in consequence of extravagant veneration for relics of saints, had irritated Lucilla against Cecilian, who had administered the reprimand while still an archdeacon. When he was elected bishop, the choice was not agreeable to her. Using her wealth and influence, she succeeded in having a member of her own household, Majorinus (d. c. 315), elected, paying the bishops 400 "folles" for the

[24] Allusion to Paul, I *Tim.* VI, 5.

[25] Aug. *De Unitate Eccl. PL.* 43, 426.

[26] Aug. *Ep.* 43, 17, *Corp. Scrip. Eccl. Lat.* XXXIII, Aug. Epp. II, 98-99, ed. Goldbacher. Cfr. also *PL.* 43, 443. Optat. of Milev. *De Schism. Donat.* in *Corp. Scrip.* etc. XXVI, 21, ed. C. Ziwsa.

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counter-election.[27] In indicating this sum, Augustine gives us the text of the official report of the Zenophilian investigation, which was still extant in his time, but is now partly lost. The short extract of the report, which he transcribes,[28] and the more extensive fragment which has reached us otherwise,[29] mention also the offence of a certain Victor, a fuller, who paid 20 "folles" to Silvanus, bishop of Cirta, for his consecration to the priesthood. It seems to be impossible, in the present state of our knowledge, to state with certainty, the monetary value of these sums of "folles." The word originally meant purse and was later applied also to the contents of the same. The "follis" was used in reckoning gold and silver as well as copper. As in the present instance we do not know the nature of the metal of which there is question, the value of the sum itself must remain in doubt.[30]

[27] Aug. *Contra Cresc.* III, 28, 29. *PL.* 43, 512-14.

[28] *PL.* 43, 514.

[29] *Gesta ap. Zenophilum, Corp. Script.* etc. XXVI, 185-97, ed. Ziwsa.

[30] On the "follis" see Marquardt, *Röm. Staatsverwaltung*, II, 43 seqq. 2d ed. (Leipzig, 1884). *Dict. of Christian Biog.* s. v. Lucilla; Delmar, *History of Monetary Systems*, 94 seqq.—On the origin of Donatism see Voelter, *Der Ursprung des Donatismus* (Freiburg, 1883); Duchesne, *Le Dossier du Donatisme* (Rome, 1890); Harnack, *Altchrist. Litt.* I, 744-51 (Leipzig, 1893).

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CHAPTER II

PREVALENCE OF SIMONY FROM THE YEAR 313 TO 476

Ecclesiastical, judicial and civil power of the bishops — Their election — Simony among the Arians — Simony among Catholics — Gregory Nazianzen and Maximus the Cynic — Chrysostom and the accusations against Antoninus of Ephesus — A synod of Ephesus and six simoniacal bishops — Chrysostom deposes Gerontius — Isidore of Pelusium and simony — Flavian of Constantinople and Chrysaphius — Ibas of Edessa accused of simony — Timothy Ailuros at Alexandria — Simony in Gaul; episcopal election at Châlon-sur-Saône — Election at Bourges.

With the publication of the edict of Milan (313), a new era opened for the Christian Church. Constantine and Licinius granted freedom to its hitherto persecuted members. The pagan religion, in its turn, soon became an object of repression, while an ever-increasing number of favors was lavished upon the Church of Christ. Its bishops began to exercise not only ecclesiastical, but also considerable civil power in the community; a power which they held for many subsequent centuries.

Numerous and important conversions were the natural result of the cessation of persecution, and

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it is obvious that this meant a proportionate increase in the ecclesiastical authority of the bishop. Through the restitution of its property confiscated in the time of persecution, and through frequent and substantial donations, made possible by the civil recognition of the Church as a corporation and her right to inherit and acquire, the Church became eventually very rich. The ecclesiastical revenues were used to support the clergy, to defray the expenses of public worship and to help the needy and poor. The administration of all church possessions was, with little superior control, in the hands of the local bishop. Ecclesiastical concerns of a litigious nature could be brought before the bishop's tribunal for adjudication. As early as 397 the third council of Carthage (can. 9) obliged all clerics to submit their grievances to an ecclesiastical court. Other councils took up the same question; and Justinian finally decreed that lawsuits between clerics and laymen, as well as mere ecclesiastical cases, were to be settled by church authorities.[1] In the West the judicial privileges granted to the clergy by the Frankish Kings were less extensive and conceded with more caution; complete independence of the civil courts, however, was the rule in the later Middle Ages. The civil cases of laymen also were submitted at an early date to the decision of the bishops, whose authority

[1] *Nov.* 79; 83; 123, c. 8, 21, 22.

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over such matters was recognized by Constantine the Great in 331; indeed, until the fall of the Roman empire at the end of the fifth century, persons in every walk of life were content to have their disputes settled in this manner.

In their relations with the central government, the ancient Roman municipalities, East and West, usually considered the bishops as the best representatives of their interests. The "defensor civitatis" was, indeed, the especially appointed official, upon whom the duty of this representation devolved. He it was who defended local interests in such matters as the imposition of taxes. But the confidence of each city in the ability and influence of its bishop soon increased to such an extent that he became the city's real advocate, while the lay "defensor" was but his lieutenant. Indeed, there was hardly a municipal office which did not, in a certain measure, depend upon the bishop. It is not difficult, therefore, to realize how great was the influence exercised over the whole life of the city by a man who was not only the spiritual guide, but the dispenser of all works of charity, a judge and, in fact, a civil magistrate. Under these circumstances, it is not surprising to find that some aspired to the episcopacy more out of a desire to enjoy the power and honors which it conferred than because of its spiritual advantages. Jerome relates that the consul-elect

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Praetextatus used to remark jestingly to Pope Damasus: "Make me bishop of Rome and I will forthwith become a Christian."[2] And Ammianus Marcellinus writes: "The one who is raised to that position enjoys in peace a fortune guaranteed by the generosity of the matrons; he goes out driving seated in a carriage and dressed in sumptuous garments and in his entertainments surpasses the profusion of royal banquets.[3]

The necessity of approbation by the popular electorate was not by any means an insurmountable obstacle in the way of ambitious episcopal candidates. A movement in their favor would be inaugurated by a lavish distribution of gifts, generous promises, by threats and even vexatious measures. The mode of election by acclamation favored surreptitious methods. There was no requirement of a very precise number of votes. The designation made by one person could readily be concurred in by several others and secure the position to an interestedly generous but not very ecclesiastically-minded candidate. The confirmation of the bishops by the civil power, which in the seventh and eighth centuries often degenerated into a nomination, was also, as will be seen, a prolific source of abuse.[4]

[2] *Contra Joh. Hier.* 8. *PL.* 23, 361.

[3] Ammian. Marcell. XXVII, 3, 14, ed. Gardthausen (Leipzig, 1874-75), II, 100.

[4] On the power of the bishops see De Broglie, *L'Eglise*

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Shortly before the Arian troubles began seriously to disturb the church of Alexandria, a certain Colluthus had already acquired unpleasant notoriety in the city. The local bishop Alexander, in a letter preserved to us by Theodoret,[5] speaks of his "χριστεμπορεία," which Valesius takes to mean the acceptance of money for ordinations.[6] This interpretation is probably correct. The Greek word, however, admits of a wider interpretation and does not necessarily refer to strictly simoniacal dealings. It merely implies, in a general way, the derivation of temporal advantage from spiritual things.[7] As to Arianism itself, it seems to have owed its success partly to pecuniary influences. Not only did it curry favor with the emperors and thus gain adherents; but money is specifically mentioned as a powerful proselytizing factor. Athanasius says of the followers of Arius: "Where did these flatterers and

et l'Empire Romain au IVe siècle (Paris, 1856-66), passim, esp. VI, 457-62; Diehl, *Etudes sur l'administration Byzantine* (Paris, 1888), 319 seqq.; Loening, *Gesch. des deutsch. Kirchenr.* I, 103 seqq. 314 seqq. II, 220 seqq.; Prou, *La Gaule Mérov.* 105-49; Fustel de Coulanges, *La Monarchie Franque*, 2d ed. (Paris, 1905), 566 seqq.

[5] *Hist. Eccl.* I, 3, al. 4, *PG.* 82, 889.

[6] *Hist. Eccl. Scrip.* re-ed. by G. Reading (Cambridge, 1720), III, 9, note 5.

[7] See *Didache*, c. 12, ed. Funk (Tübingen, 1887), 40 with note 5.

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bribers of the heresy learn these things?"[8] A little further, he speaks of the support they received from their friends,[9] and in the fifty-third chapter of the same discourse he refers with special emphasis to their love of gain.[10] In his statements concerning the appointment of Arian bishops, his accusations become more definite. In certain instances the episcopal dignity was, so to speak, sold at auction, for some men, who were rather disreputable in character, owed their appointment solely to their wealth and their great influence in the community.[11] He makes a similar charge against the Meletian bishops, who, through bribery, obtained the episcopal office even before being instructed in the Christian religion. That they should readily pass over to the Arians, is not then surprising.[12] In his Apology to Constantine,[13] Athanasius even tells us that the Arians considered it of no consequence whether the episcopal candidate was a pagan or not, as long as he paid for his preferment. True, Athanasius elsewhere [14] contrasts the avaricious Meletians with the merely impious Arians; but this may be ex-

[8] *Orat. I. c. Arian. PG.* 26, 28. "Οἱ κολακες καὶ δωροδόκοι τῆς αἱρέσεως." See also *PG.* 25, 769.
[9] *PG.* 26, 32, see also *PG.* 25, 753-56.
[10] *Ibid.* 124, "Κέρδος τῆς φιλοχρηματίας."
[11] *Hist. Arian. ad Mon. PG.* 25, 781.
[12] *Ibid.* 788, 789.
[13] *Ibid.* 632. [14] *Ibid.* 589.

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plained thus, with Cardinal Newman:[15] "There were, as was natural, two classes of men in the heretical party: the fanatical class who began the heresy and were its real life, such as Arius, and afterwards the Anomoeans, in whom misbelief was a 'mania'; and the Eusebians, who cared little for a theory of doctrine or consistency of profession, compared with their own aggrandizement. With these must be included members who conformed to Arianism lest they should suffer temporal loss." Athanasius is not alone in attributing the spread of Arianism partly to corruption. Hilary of Poitiers accuses Constantius of resorting to this means of arianizing; his exempting certain Christians from taxes is an invitation to a denial of the Catholic faith.[16] Pope Liberius[17] speaks to Constantius of those who prefer the favors of the emperor to the glory of God. Gregory Nazianzen[18] tells of prominent men who, loving gold more than Christ, "*φίλοχρυσοι μαλλον ἢ φίλοχρίστοι*" were bought over to Arianism.

Not only among the Arians do we find bishoprics bought and sold; instances also occur within the Catholic Church. Jerome tells us that in his time there was a goodly number of church digni-

[15] *St. Athanasius* (London, 1890), II, 26.
[16] *PL.* 10, 581 and 587.
[17] Theod. *H. E. PG.* 82, 1033.
[18] *PG.* 35, 1105.

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taries who raised to the clerical state not the more useful persons, but "those whom they loved or whose complaisance had mollified them; or again those in whose favor any person of influence had submitted a petition; and, not to speak of anything worse, the applicants, who offered presents to back up their demands." [19]

How vehemently certain persons coveted the episcopal dignity, is exemplified by events which took place at Constantinople during the period in which Gregory Nazianzen was zealously working at the reorganization of the affairs of that church (379-381). Maximus the Cynic made a determined effort to force himself as bishop on the people of the Imperial City. Gregory Nazianzen originally entertained the highest regard for this crafty and unscrupulous personage. But soon a plot was organized which had for its object the intrusion of Maximus. Gregory himself graphically describes the way in which the Alexandrian party proceeded to secure the important see of Constantinople for one of their own men.[20] He begins by telling us that it is held by some that wine is the great ruling power in this world, by others that it is woman, and again by others that

[19] *Comment. in Ep. ad Tit. PL.* 26, 596-97. See also Jerome, *Comm. in Jerem. PL.* 24, 766.

[20] *Carmen de Vita Sua*, XV, 830-85. *PG.* 37, 1086, seqq.; Sozom. *H. E.* VII, 9.

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it is truth that rules supreme; but according to him gold is the universal master. It was with gold that Maximus was enabled to execute his dark designs. A priest from the island of Thasos had arrived in Constantinople carrying a considerable sum of church money which was destined for the purchase of marble. Maximus used flattery and promises with such skill, that the stranger became his associate and put the money at his disposal. His friends deserted the penniless Gregory and supported his enemy. Some Egyptian bishops, with the consent of the archbishop of Alexandria, Peter, came to perform the consecration. Without previous notification to bishop, clergy or people, they began the ceremony during the night supported by a number of hired Alexandrian sailors. At dawn the local clergy discovered the high-handed proceedings. The news of the attempted intrusion spread like wild-fire and aroused the legitimate indignation of the inhabitants. Consecrators and candidate were driven from the church before the completion of the ceremony. The house of a flute-player, where the rite was concluded, saw the beginning and end of the episcopate of Maximus: he never occupied the episcopal chair of Constantinople or any other city.

It was but a short time after these events that the see which Maximus attempted to usurp was

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occupied by John Chrysostom, a prelate distinguished for his fearlessness in suppressing existing abuses. But persecution is, as a rule, the lot of reformers. Bitter opposition, hardships and exile were Chrysostom's reward for the reformatory zeal which he displayed as archbishop of Constantinople. Pastoral visits like the one he made to Ephesus in the cause of ecclesiastical discipline, would, while serving the best interests of the Church, naturally enough increase the number and power of his adversaries. At a council held at Constantinople, in the spring of the year 400, Eusebius, bishop of Valentinianopolis, had brought seven accusations, most of them grievous, against his metropolitan, Antoninus of Ephesus, who was present. The last of these charges was to the effect that it was a firmly established rule and law with Antoninus to sell the episcopal consecration for a sum proportionate to the revenues of the see. "The purchasing and consecrated parties," said Eusebius, "are present here, and I have the proofs at hand." Chrysostom promised redress and asked the accuser to drop the written accusation, as charges that proceed from personal animosity are not always easily proven. This request aroused the ire of Eusebius against Antoninus: he maintained the accusation. The mediation of Paul, bishop of Heraclea, who seemed to be favorably disposed towards Antoninus, was

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then tried, but failed to effect a reconciliation between the metropolitan and his suffragan. Eusebius, in presence of the assembled bishops and people, presented in church with solemn adjurations, another list of the same accusations. Chrysostom, seeing his insistence and desirous of avoiding disturbance among the congregation, accepted the bill of indictment. After reading the Scriptural extracts introductory to the holy sacrifice, he requested Pansophius, a bishop of Pisidia (the see is unknown), to continue the service, while he himself withdrew from the church with the other bishops. When the people had been dismissed, the bishops assembled in the baptistery and the accuser was then cited. Chrysostom again requested him to reconsider his decision before the publication of the charges. Eusebius persisted, and the document was read. The reading concluded, the senior members of the assembly decreed that an investigation should be made regarding the most horrible of the accusations, that of simony, as, according to them, guilt on this point meant guilt on all the others. Antoninus and the alleged purchasers were examined and denied the charge. After a rather lengthy interrogatory, the proceedings were postponed owing to the absence of the witnesses. As their summons to Constantinople involved considerable difficulty, Chrysostom offered to go to Asia imme-

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diately. The realization of his plan was frustrated through the intrigue of the uneasy Antoninus, who procured the interference of the court. Chrysostom was advised that, in view of the impending troubles (the revolt of Gainas), his absence from the capital would be untimely. The council appointed as judges in the affair a committee of three other bishops: the metropolitan, Syncletius of Trajanopolis in Greece, and two Asiatic prelates, Hesychius of Parium and Palladius of Helenopolis; it also pronounced excommunication against the party, either accuser or accused, who would not appear within two months at Hypepe in Asia. Of the three bishops, Hesychius proved his friendship for Antoninus by being opportunely taken ill; Syncletius and Palladius proceeded to Hypepe. Meanwhile Antoninus and Eusebius settled their differences, a bribe from the metropolitan having persuaded his suffragan to take an oath to withdraw the accusation. Both parties, however, appeared at Hypepe, but without witnesses. The judges signified their willingness to wait, and Eusebius relying on the torrid heat of the season for the dispersal of the judges, promised, in a written statement, to produce the witnesses within 40 days or incur the canonical penalties. Instead of preparing for the trial, he retired to Constantinople where he remained in concealment. The judges waited for

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the stated time. As Eusebius did not appear they issued a circular letter to the bishops of Asia, announcing his excommunication. Another wait of thirty days was equally fruitless. On their return to Constantinople, they met Eusebius who alleged poor health as an excuse and again promised to produce his testimony.

Meanwhile Antoninus died. At his demise, the bishops of Asia and the clergy of Ephesus sent a petition to Chrysostom, adjuring him, in the strongest language, to come and restore order in the church of Ephesus. The troubles there were caused by the Arians and also by avaricious and ambitious Catholics, many of whom were seeking to obtain by means of money, possession of the vacant see. In spite of his poor health and the winter season, Chrysostom departed for Asia. He held a council at Ephesus, at which Eusebius of Valentinianopolis appeared asking for readmission into the church and for permission to introduce the witnesses on the same day. Having first manifested some opposition to his request, the council decided to resume the long-pending trial. A report of the proceedings to date was first read; then the witnesses and the six accused bishops were introduced. The latter began with a denial of the charge. But they had to yield before the testimony of priests, laymen and women, in which the kind, place, time and quantity of the

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reward were specified. They finally made the following confession: "We paid and were consecrated, but imagined that this was customary in order to be freed from the curial offices (municipal charges). We now ask to be left in the service of the Church; or if not, that our gold be restored to us, as some of us gave away the personal apparel of our wives." Chrysostom announced that he hoped the emperor would, at his request, exempt them from the curial charges, and asked the council to order the restitution of the sum given in payment. The assembly agreed to this and also pronounced deposition against the culprits. They acquiesced in the sentence and received worthy successors.[21]

About the same time, Chrysostom deposed the very popular Gerontius, bishop of Nicomedia. Gerontius owed his appointment to persons of influence at the imperial palace, and had been consecrated by Helladius of Caesarea in Cappadocia, for whose son he had previously obtained an important position at court.[22]

A friend and admirer of Chrysostom and a champion of his memory after his death, furnishes us with considerable information concerning eccle-

[21] On Chrysostom and these various events, consult Palladius, *Dial. de Vita Chrys. PG.* 47, 47-52. Soz. *H. E.* VIII, 6, 10. Soc. *H. E.* VI, 11.

[22] Soz. *H. E.* VIII, 6.

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siastical affairs in another section of the Christian world. The numerous letters of Isidore (d. c. 440) priest and abbot of a monastery near Pelusium in Egypt, contain, apart from their exegetical and practical moral significance, valuable details regarding the history of his time. Nor does Isidore content himself with a bare statement of the facts as he knows them. In speaking of abuses, he earnestly pleads for their suppression and the amelioration of conditions. Like Chrysostom, though in a different way, owing to the difference in character and position, he is a great moral reformer. He frequently speaks, in a general way, of the cupidity, the love of money of contemporary ecclesiastics.[23] But, as in the case of most moral reformers, allowance must be made for his power of generalization; his statements concerning the general ecclesiastical degeneracy of his days, and especially those regarding simoniacal practices must be received with reserve. The reported purchase of the episcopal dignity by the Egyptian bishop Leontius forms the subject of one of his letters addressed to John Chrysostom.[24] The report, however, lacked foundation, as Isidore himself later acknowledged.[25] From the document in which he admits his error we see that great abuses

[23] *Epp.* III, 216, 223; V, 21, 131.
[24] *Epp.* I, 315; *PG.* 78, 364-5.
[25] *Epp.* III, 387, *ibid.* 1028-9.

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prevailed in this connection, abuses which he stigmatizes in other letters.[26] The ecclesiastical conditions of his own diocese, Pelusium, were deplorable. "Report has it," he says, "that Eusebius (the bishop of Pelusium) uses the money derived from episcopal elections in building a magnificent church." [27] That Eusebius and Martinianus, his "oeconomus," or church steward, were responsible for the prevalence of simony in the Pelusian church at the time, is a statement he makes in a letter to Cyril of Alexandria whom Martinianus, perhaps more surely to ward off suspicion, accused of this vice.[28] Accusations were in circulation that Eusebius sold the "imposition of hands," [29] a practice against which Isidore warns him.[30] That he had ordained the priest Zosimus for money was notorious,[31] and to this he added the ordination of Maron, another Simon.[32] In almost every one of Isidore's letters to Eusebius, allusion is made to the latter's simoniacal dealings or at least to his cupidity.[33] Similar allusions also figure in some of his letters to Maron and Zosimus.[34] To these names he

[26] *Epp.* III, 394; V, 357.
[27] *Epp.* I, 37; II, 246.
[28] *Epp.* II, 127; *PG.* 78, 565-74.
[29] I, 26. [30] I, 30.
[31] I, 113. [32] I, 119.
[33] I, 151, 177, 185, 215, 341, 425, 492; Cp. also II, 71.
[34] See *PG.* 78, Index Eorum ad quos scripsit Isid. s. vv.

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adds in a letter to Theon,[35] those of Palladius and Eustathius, as clerics to whom Eusebius sold ordination, from which the archdeacon Lucius also derived gain.[36] These facts exhibit the fearless Isidore as one of the first great champions of ecclesiastical integrity. His zeal probably deceived him into exaggerated general statements; but it is evident that there was abundant cause for the severity of his language.

At the death of Proclus, archbishop of Constantinople, Flavian was elected (446 or 447) to fill the vacancy.[37] The eunuch Chrysaphius, who was then all powerful with the emperor, displeased at the choice, suggested to Theodosius II, then at Chalcedon, to intimate to the patriarch that he send him (Chrysaphius) the "eulogiae" for his elevation. Flavian forwarded to him what seems to have been a usual present on such occasions, some blessed loaves. Chrysaphius scornfully rejected these and replied that it was gold that the emperor demanded and not bread. The bishop, according to one version,[38] answered that he had no gold but that of the sacred vessels; according to another,[39] wishing to cover the insolent eunuch

[35] II, 121. [36] I, 29.

[37] Theophanes, *Chronog.* ad ann. 440, *PG.* 108, 256-7; Nicephorus Callisti, *Hist. Eco.* XIV, 47, *PG.* 146, 1222.

[38] Theoph. and Niceph. *ll. cc.*

[39] Evagrius, *Hist. Eco.* II, 2, *PG.* 186 bis, 2489-92.

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with confusion, he sent him the vessels. However this may be, certain it is that Chrysaphius henceforward used his influence to destroy Flavian.

As soon as Ibas, the Syriac translator of Theodore of Mopsuestia, had been raised (c. 435) to the episcopal see of Edessa, the opposition against him declared itself. It was especially his doctrinal views, tinged with Nestorianism according to some, that gave offence. About 447, four of his clerics, Samuel, Cyrus, Eulogius and Maras presented a bill of indictment against him to Domnus, bishop of Antioch.[40] The case was to be tried in a synod at the latter city (447 or 448). But when the council assembled, two of the accusers, Samuel and Cyrus, in order to secure a more favorable hearing, had left for Constantinople in spite of the grievous penalties (excommunication and deposition) which they incurred through their departure. The synod dispersed without taking any decision. The two other accusers soon joined their colleagues at Constantinople, and the result was that the emperor instituted a commission of investigation. Eighteen accusations[41] against Ibas were laid by the four accusers before this commission, which met at Tyre and Berytus (448 or 449).[42] The third charge was that Ibas re-

[40] Liberat. *Breviar.* x, *PL.* 68, 992-3.

[41] Mansi, VII, 219-28.

[42] On this see Hefele, *Conciliengesch.* 2d ed. II, 309-12. New French ed. II, 490-498.

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ceived money for ordinations. The members of the commission, acting more as peace-makers than as judges, proposed a compromise to which both parties consented.[43] Ibas promised kind treatment to his opponents and accepted "oeconomi," or administrators to whom was entrusted the management of the ecclesiastical revenues of his diocese. The clerics, on the other hand, dropped the accusations. The arrangement made no mention, either explicitly or implicitly, of Ibas' alleged simoniacal ordinations. The institution of "oeconomi" had its cause solely in the real or alleged malversations of the bishop. But the truce was a short one; at the robber-synod of Ephesus (449),[44] Ibas was, without a hearing, sentenced to deposition, because his views did not square with those of the Eutychian party. He was reinstated by the oecumenical council of Chalcedon (451).[45] His alleged guilt in accepting pecuniary compensation for spiritual functions was never proved.

Under the administration of the great Cyril (412-44), the patriarchal see of Alexandria had risen to the zenith of its power. So disastrous were the consequences of the tyranny of his imme-

[43] Mansi, VII, 197 seqq.

[44] Lib. *Brev.* XIII, *PL.* 68, 1013; Evag. *Hist. Eccl.* Lib. I, X, *PG.* 86 bis, 2448.

[45] Mansi, VII, 262 seqq.; Evag. *op. cit.* Lib. II, IV, *PG.* 86 bis, 2509. See Hefele, *Conc.* 2d ed. II, 479-91.

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diate successor, the infamous Dioscorus (444-51), that the great church never recovered from the severe blow which was dealt it. Peace did not come with the decisions of Chalcedon. Discussions continued, particularly in Egypt, although a successor was elected to the banished Dioscorus in the person of the saintly Proterius (451-57). Timothy Ailuros (the Cat), a monk and priest, refused to recognize the authority of the newly elected bishop and was deposed and banished into Libya. The opposition to Proterius resulted in a serious insurrection during the reign of the emperor Marcian (450-57), and at the latter's death, the banished Timothy returned to Alexandria and renewed the disturbances. He was in the habit of creeping to the cells of the monks during the night; then calling them each by name, and proclaiming himself an angel of God, he ordered them to secede from Proterius and choose Timothy (himself) as bishop.[46] To this practice he possibly owed his surname of "Ailuros." The already existing oppositional elements, the ever turbulent spirit of the Alexandrian population, and the distribution of money [47] enabled him to gather, with-

[46] Theophan. *PG.* 108, 1, 280-84; Theodor. Lect. *PG.* 86, 1, 169-72.

[47] Theoph. *l. c.* 281. For the history of Timothy Ailuros, see also Evagr. *Hist. Eccl.* II, chaps. 5, 8-11; Liberatus, *Brev.* cc. 14-16, *PL.* 68, 1016-19; Leo Mag. *Epp. PL.* 54, nos. 145, 156-58, 162, 164, 169, 170; Gelas. *Brevic. hist. Eutych.* 4-5, ed. Thiel, 514-15.

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out considerable difficulty, a violent mob, with whose aid he seized the "Caesarean Church." Here he had himself consecrated bishop of Alexandria during the life-time of Proterius, by two deposed bishops, Eusebius of Pelusium and Peter of Majuma. Shortly afterwards, Proterius was murdered in a baptistery as a result, no doubt, of the disturbances instigated by Timothy. The latter now usurped the succession of Proterius, ejected the lawfully constituted clerics who were loyal to the council of Chalcedon and his predecessor, performed new ordinations and diverted to his own partisans church funds destined for the poor. That his opponents would silently and promptly submit to the unscrupulous usurper was not to be expected. Both parties appealed to the emperor Leo I (457-74), to whom his namesake Pope Leo I (440-61), also wrote in favor of the council of Chalcedon and against Timothy. The emperor demanded and received from the occupants of some of the principal Eastern sees an expression of their opinion on the recent proceedings in Egypt.[48] As it was a unanimous condemnation of the intrusion of Timothy, the usurper

[48] See the letters of the Egyptian parties and of the emperor and the answer of the bishops consulted, in Mansi, VII, 524 seqq. The bishops of Moesia Secunda answered that Timothy was "to be reckoned as under anathema and among Simoniacs" (*op. cit.* 546).

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was driven from Alexandria and shortly after banished to the Chersonese.[49]

That simony was not unknown in Gaul during this period, we know from the history of Patroclus, bishop of Arles (412-426), whom his contemporary Prosper Tiro accuses of selling ecclesiastical offices.[50] But we are especially indebted to Sidonius Apollinaris (c. 430-82) for information regarding simoniacal dealings in that country. He gives us a graphic description of the nomination of a successor to Paul II, who died about 470 as bishop of Châlon-sur-Saône. The metropolitan Patiens of Lyons and the bishops of the province assembled at Châlon to fill the vacancy. They found the city torn with faction by three competitors, who fought for the succession and had each his supporters. One party considered mere nobility of birth in its candidate, sufficient qualification for the office; the second faction was composed of parasites, who put forward a man whose delicious and palatable feasts they had enjoyed and naturally expected to continue to enjoy; by tacit agreement, a liberal booty of ecclesiastical revenues had been assured to his supporters by the third seeker after episcopal honors. The determination of Patiens and Eu-

[49] For the subsequent history of Timothy Ailuros see Neale, *Holy East. Church, Alex.* II, 15 seqq.

[50] *PL.* 51, 862.

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phronius of Autun to secure the triumph of a worthy candidate was not abated by the realization of this deplorable condition of affairs. They resolved to proceed with the appointment of a bishop, regardless of the factions and in spite of them. After consultation with their fellow-bishops and without previous notice to the people, a respectable priest, John, who had neither episcopal aspirations nor the least suspicion of the intention of the bishops was seized and received consecration. Remarkable for his honesty, humility and meekness, his nomination was hailed with delight by the better element of the inhabitants and met with no open opposition from any of the parties.[51]

Some two years later (c. 472) another nomination to a bishopric took place, which throws considerable light on the state of ecclesiastical affairs in Gaul at the time. Sidonius himself, who had become bishop of Clermont, was to play the most important rôle in the proceedings. A vacancy had occurred at Bourges, the metropolitan see of Aquitania Prima. Most of the bishoprics of the province had fallen in 471 into the hands of the Visigoths. But in spite of the troublous times and the absence of the bishops of the province, the inhabitants of Bourges could not agree in the

[51] *MGH. Auct. Ant.* VIII, 76-77.

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choice of a successor. There was no lack of candidates for the office, some of whom were most willing to purchase the sacred dignity. Indeed so numerous were the applicants for the position that two benches were not sufficient to seat them. Their popularity is summed up by Sidonius Apollinaris in the words that "they all pleased themselves, but displeased everybody else." The people of the city summoned Sidonius to Bourges for the election. The latter, before taking any decisive step, consulted Agroecius, archbishop of Sens and Euphronius, bishop of Autun. An end was ultimately put to the division and rivalry among the inhabitants by a common agreement to abide by the decision of Sidonius. They bound themselves in writing and by oath to accept as bishop whomsoever he would designate. At the conclusion of a discourse, in which he had sworn that he had yielded neither to money nor favor in his choice, he announced his decision in the following solemn manner: "In the name of the Father, and of the Son and of the Holy Ghost, I declare that Simplicius ought to be the metropolitan of our province and the supreme prelate of your city." The inhabitants abided by the nomination of Sidonius. Simplicius being a layman and the father of a family his elevation to the episcopate was uncanonical. His, however, is only one of

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many instances of the time where the canons were ignored in this regard. Sidonius himself was only a layman when he was called to the bishopric of Clermont.[52]

[52] Sid. Apoll. *Epp.* VII, 5, 8, 9 ed. Luetjohann in *MGH. Auct. Ant.* VIII; Ceillier, *Hist. des Auteurs Ecclésiast.* X, 380-81.

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CHAPTER III

THE ATTITUDE OF CHURCH AND STATE TOWARDS SIMONY FROM 313 TO 476

Pope Siricius and ordinations — Utterances of Gregory Nazianzen and Ambrose — Conduct of Hilarion — Chrysostom and episcopal elections — Sulpicius Severus, Jerome, Augustine — The 48th canon of Elvira — The councils of Nicaea, Antioch, Sardica — Letter of Basil — Pope Leo I — Some Apostolic Canons — The 2d canon of Chalcedon — The patriarch Gennadius and simony — Edict of the Eastern emperor Leo I — Similar edict of the emperor Glycerius.

The attitude of ecclesiastical authority in face of the spread of simony though discernible to some extent from the foregoing exposition of facts, needs further elucidation. Pope Siricius (384-99) insists that favor cannot be a sufficient reason for admission to the episcopal office. As for himself he has always refused to consider, in spite of the interposition of powerful supporters, the oft-repeated application for episcopal honors of persons who were excluded by ecclesiastical discipline. The wrong character of the following practice can hardly be overestimated, viz. that, certain bishops, rather than bear the expense of supporting vagrants who rightly or wrongly style themselves monks, raise them to the diaconate, priesthood or

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even to the episcopate, and this without even knowing whether they were orthodox or baptized.

Gregory Nazianzen (d. 389 or 390) deprecates the evil of his time, when, in some instances, not virtue but criminal practices and power led to the episcopal dignity.[1] Ambrose (d. 397) tells us that "the precept of the Lord and the example of the prophet (Elizaeus), teach the bishop that, as he freely received so he should freely give (Matth. x, 8), that he should not sell his ministrations, but offer them. The grace of God is not valued at a temporal price and gain is not sought in holy things, but the service of the bishop." Nor does it suffice for the latter, according to the same author, not to seek his own profit; the members of his household also should refrain from the acceptance of reward. Episcopal instructions and exhortations should preserve them from sin in this respect. In case of transgression, the memory of the terrible leprosy with which Giezi and his posterity were stricken, will convince the offender that the sale of things sacred constitutes an inexpiable sin, the punishment of which will extend even to his descendants.[2] The passage of Matthew, XXI, 12, became a favorite weapon, used by ecclesiastical writers in their attacks on venality in

[1] *PG.* 36, 532-3.

[2] *Comm. in Luc.* in *Corpus Script. Eccl. Lat.* XXXII, pars. IV, ed. Schenkl (1902), 164-6.

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spiritualities. It reads: "And Jesus went into the temple of God, and cast out all them that sold and bought in the temple, and overthrew the tables of the money changers, and the chairs of them that sold doves." Its content does not refer to simony properly so called, but it treats of traffic in the holy place, and suggests, if only remotely, profit derived from the transactions by priestly officials.[3] Ambrose, in interpreting the text, takes it to signify the exclusion from the church of God of those who sell the grace of the Holy Ghost at auction; for they disobey their instructions to give freely as they freely received and incur the condemnation pronounced by Peter against Simon Magus.[4]

How diligently Hilarion (d. 371), the founder of monasticism in Palestine, avoided even the appearance of simony, is evidenced by his conduct towards Orion, a prominent and wealthy citizen of Aila, a city on the coast of the Red Sea. Orion had been possessed by a legion of demons, from which Hilarion had delivered him. Out of gratefulness, the former shortly afterwards appeared before his benefactor with his wife and children and offered him rich presents. Hilarion refused the spontaneously proferred gifts, citing the pun-

[3] See Edersheim, *The Life and Times of Jesus*, 8th ed. (New York and London, 1896), I, 368 seqq.

[4] *Corpus Scrip. Eccl. Lat.* XXXII, P. IV, 444-5.

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ishment which had been inflicted on Giezi, who had sold the grace of the Holy Ghost, and on Simon Magus, who had attempted to buy it. In spite of Orion's humble but excessive insistence and tears, the hermit declined to accept the presents even for distribution to the poor.[5]

Chrysostom gives us a sad picture of the episcopal elections in his time.[6] The electors did not look for that qualification which alone they ought to have regarded, the virtue of the soul. One voted for the candidate of noble extraction, another for the one possessed of wealth, a third was swayed by partisan feeling. Friendship, relationship, flattery determined the votes of others. The claims of the worthy candidate were not considered. After this statement of current happenings in this respect, Chrysostom puts on record his disapprobation of such determining factors in ecclesiastical elections. He sees in the promotion of unworthy candidates to church dignities the cause of the punishments with which God visited his contemporaries. Speaking in another of his works,[7] of those who covet the episcopal office, he warns them of what befell Simon Magus and asks: "What is the difference, if you do not use money, but

[5] Jerome, *Vita Hilar.* c. 18, *PL.* 23, 36-37.

[6] *De Sacerdotio*, III, 15, *PG.* 48, 651-4. Cp. also III, 9, *ibid.* 646.

[7] *III Hom. in Act. App. PG.* 60, 40-41.

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instead have recourse to flattery, artifice and intrigue? It was said to Simon: 'Keep thy money to thyself, to perish with thee, because thou hast thought that the gift of God may be purchased with money.' It will be said to these: 'Your ambition perish with you because you have thought that the gift of God may be purchased with human artifices.'"

Sulpicius Severus (c. 363-420) [8] contrasts the great desire for martyrdom in the Christians of pre-Constantinian times with the unholy ardor, with which some in his own day aspired to the episcopate. The introduction of commercialism into the spiritual world means, according to Jerome (d. 420), depreciation of its treasures. He sees in this fact the reason for the condemnation of avarice in the oft-quoted passage of the free reception and free distribution of divine favors (Matth. x, 8).[9] The one who seeks earthly gain in religion he considers a thief, who transforms the temple of God into a den of thieves; and the religious teacher who yields to venal motives is, in his eyes, devoid of all dignity.[10] Startling though baseless is Jerome's assertion [11] that the rich young man mentioned in Matthew

[8] *Corpus Script. Eccl. Lat.* I, 86, ed. Halm, *Chronic.* II, 32.

[9] *Comment. in Ev. Matth.* I, x; *PL.* 26, 62.

[10] *Ibid.* III, xxi; *PL.* 26, 150-2. [11] *PL.* 26, 52-3.

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(XIX, 16-23) as receiving the teaching of our Lord with insufficient generosity, walked away sad, because, like Simon Magus, he expected the performance of miracles to be a source of revenue. So far as Augustine is concerned,[12] it will suffice to note as a detail of Christian symbolism and a more direct application of Matthew (XXI, 12) to simony, the fact that for him the dove which figures in the traffic in the temple, represents the Holy Ghost.

The earliest ecclesiastical legislation concerning simony, so far as we know, comes from Spain. The forty-eighth canon of Elvira, the oldest council (c. 300) of which we have any canons reads as follows:

"We decree the abolition of the custom, prevailing among those who receive baptism, of placing a pecuniary offering in the shell (used to baptize), lest the bishop appear to distribute for a fee what he freely received. Nor are the feet of the newly-baptized to be washed by either bishop or clergy."

"Emendari placuit ut hi qui baptizantur, ut fieri solebat, nummos in concha non mittant, ne sacerdos quod gratis accepit pretio distrahere videatur. Neque pedes eorum lavandi sunt a sacerdotibus vel clericis."[13]

[12] Aug. *in Psalm.* 130, 5; *PL.* 37, 1706. See also *Tract. X in cap. II Joann. PL.* 35, 1468-71.

[13] Hefele, *Conciliengesch.* I, 177, New French ed. I, 249.

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This canon reveals the anxious care with which the members of the council protected the good reputation of the clergy. It also discloses a tendency towards the introduction of perquisites now beginning to manifest itself. The generosity of the faithful in its initial fervor spontaneously and amply furnished the funds necessary for the support of the clergy and the proper observance of worship. As time went on, however, the free contributions did not increase in proportion with the needs of the Church and its ministers. This disproportion was among the reasons which led first to the acceptance, then also to the imposition of a fee on occasion of the performance of certain rites. In the Spanish custom just mentioned, there is as yet only question of free donations. But it should be noticed that they were already made for the rendering of some specific service, *i. e.*, the administration of baptism. The practice was suppressed for a time, but later gained ground and triumphed. Circumstances and the remembrance of the spiritual maxim, "The workman is worthy of his meat," [14] were to prove stronger than the zeal of bishops.

The prohibition regarding the passing of a bishop, or other members of the clergy from one

Mansi, II, 13-14. The canon has been incorporated in the *Corp. Jur. Can.* c. 104, C. 1, q. 1.

[14] Matth. X, 10.

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diocese to another became, after its promulgation at Nicaea,[15] a frequent enactment of subsequent councils. The synod of Antioch (341) [16] renewed the prohibitive measure and the first and second canons of Sardica (most probably 343-344) [17] also bear on the subject. The second canon of the latter council seeks to prevent the indirectly simoniacal promotion from a less to a more important episcopal see. The following translation may be given from its Greek text:

"Should any one be found so foolhardy or rash as to put forward the assertion that he received letters from the people (of the more important see), it is manifest that, in that city he may have won over a few through bribery, so as to make them rise in church and demand him as their bishop. I deem it necessary to utterly condemn such fraudulent proceedings and to pronounce such a one, to his very death, unworthy even of lay communion. Pass sentence upon this. The synod answered: 'We approve of what has been said.'" [18]

[15] Can. 15, Mansi, II, 673-76.

[16] Can. 21, *Ibid.* II, 1317.

[17] The text is given in Hefele, *Concg.* I, 558-60; New French ed. I, 760-62. On the recent discussion regarding the genuineness of the canons of Sardica, see Funk, *Die Echtheit der Kanones von Sardica, Hist. Jahrb. der Görresges.* (1905) XXVI, 1-18, 255-74; reprinted in his *Kircheng. Abhandlungen*, Vol. III (1907).

[18] The canon has been taken over into the *Corp. Jur. Can.* c. 2, De Electione, I, 6.

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A letter of Basil [19] which is referred to the beginning of his episcopate at Caesarea, 370-71, and addressed to his suffragans, constitutes another legislative and very instructive document of the period. The following is an account of the letter in which we have grouped together what logically belongs together: 1) Basil speaks of the grief caused him by the circulation of a report that some of his suffragans accepted money for ordinations, and states that he does not yet give full credence to the imputation. 2) Not only were they said to sell ordination, but also to excuse their action on the ground of religion, which implied double guilt; or they wrongly considered themselves innocent because they received payment only after the performance of the ceremony. 3) The arguments Basil uses against simony are: *a.* To the recipient of a bribe he applies the words addressed by Peter to Simon Magus: "Keep thy money to thyself to perish with thee." [20] *b.* He mentions the spiritual loss which the seller sustains. *c.* He shows the base character of the action by which the traffic of the huckster is introduced into things spiritual. *d.* He goes to the source of the sin, which is covetousness. But covetousness is the fountain-head of all evil and called idolatry. *e.*

[19] *Ep.* 53 (76), *PG.* 32, 396-9; Pitra, *Jur. Eccl. Graec. Hist. et Mon.* I, 608-9.

[20] *Acts*, VIII, 20.

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He points out the similarity between their action and that of Judas in betraying Christ for a bribe.

4) Basil does not content himself with warning and pleading. As ruler of a metropolitan district, he lays down the penalty to be inflicted for further transgressions on this point. After this letter of his, any offence of this kind will be punished with deposition, for the churches of God have not the custom of buying and selling God's gift.

Pope Leo the Great in a letter written January 12, 444, and addressed to Anastasius, bishop of Thessalonica, gives him the following directions: "In the provinces entrusted to you, such should be consecrated bishops of the Lord as are recommended only by a virtuous life and by fidelity to their clerical duties. Exclude all influence of personal favor, ambition and purchased votes." [21]

In penning the above-mentioned letter, Basil, as already observed by Drey,[22] can hardly have known the following so-called canon of the Apostles: "If any bishop, priest or deacon obtain possession of his dignity with money, he shall be deposed, he and the one who ordained him, and he shall be absolutely deprived of communion like Simon Magus

[21] *Ep.* VI, c. 3, *PL.* 54, 618, also Mansi, v, 1233. See also *Ep.* CLXVIII, c. 1, *PL.* 54, 1209-10.

[22] *Neue Untersuchungen über die Konstitutionen und Kanones der Apostel* (Tübingen, 1832), 355. His account of the letter of Basil is inaccurate.

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by me Peter." [23] Chrysostom also fails to make use of the canon or even to mention it, although he had occasion for doing so. Moreover, the advanced stage of development which its wording indicates, and the existence of the circumstances which it implies, point to a rather late origin. Funk [24] places the date of composition at the beginning of the fifth century. He rejects as insufficiently proved Drey's opinion, which sees in the canon an extract of the second canon of the council of Chalcedon (451).[25] That the dependency on Chalcedon is far from proved, may be admitted with Funk. It may be well to point out here the error committed by Drey, when in trying to establish his opinion, he tells us that previous to the council of Chalcedon no historical document can be found proving that ordination was conferred for money. After the exposition of facts given above, the reader knows what to think of this assertion. On the other hand, however, the position of Funk that a later date than the beginning of the fifth century cannot be assigned is not quite convincing. It is known that Dionysius Exiguus found the canon in existence when he

[23] Can. 30 (28), Mansi, I, 33; Hefele, *Cg.* I, 809. See Hefele, New French ed. I, 1203-21; though the text of the canons is not therein given.

[24] *Die Apostolischen Konstitutionen* (Rottenburg, 1891), 187-91.

[25] Drey, *op. cit.* 355-56 and 411.

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made his Latin translation of the Canons of the Apostles, about the year 500. Hence the canon in question may be considered a fifth century production, without any attempt at a more precise date.

Two other Apostolic canons forbid, one, the acquisition of a bishopric through the influence of the secular power,[26] the other, nepotic elevations to the episcopate.[27] At a period of greater development of the simoniacal idea and consequent legislation, these two prohibitions would have to be spoken of more at length; here it will suffice to have mentioned them.

In the history of the development of anti-simoniacal legislation, the council of Chalcedon (451) occupies an important place. In its canons we find the first great ecclesiastical amplification of the condemnation of simony pronounced by Peter. The accusations against Ibas of Edessa, which were again examined at Chalcedon, if they did not cause the formulation of the prohibition of the council, at least drew the attention of the bishops to the unlawful traffic in sacred objects. The council in its second canon decreed:[28]

[26] Can. 31 (29), Mansi, I, 33; Hefele, *l. c.*

[27] Can. 76 (75), Mansi, I, 45. This canon is also found among the canons of the council of Antioch held in the year 341. See Hefele, *Cg.* I, 520, 823-4; New French ed. I, 721.

[28] Mansi, VII, 357-60. The canon has been incorporated in the *Corpus Jur. Can.* c. 8, Causa I, q. 1.

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"If any bishop should confer the imposition of hands for money and put to sale a grace that cannot be sold; if for money he should ordain a bishop, a chorepiscopus, a priest or deacon or some other cleric; or if, through love of gain, he should for money nominate a steward, advocate or prosmonarios, or any other person on the roll of the Church, he shall, if he be convicted, forfeit his own position and the ordained party shall not profit by this venal ordination or appointment, but be deprived of the dignity or office he obtained for money. Should any one act as intermediary in these shameful and unlawful transactions, he shall, if he be a cleric, lose his own position and if he be a layman or monk, he shall be subject to anathema."

As had previously been done more than once, the canon pronounced penalty of deposition against ordainer or ordained who received or gave payment for ordination. But it did not stop there; two new classes of persons were considered: 1) Church officials, who did not receive ordination; and 2) Intermediaries in simoniacal transactions. The penalty pronounced against clergymen was now also enacted against such administrators of church property (stewards), advocates or counsels for the church, or other officials, as obtained their position through bribery: they were to be discharged. It cannot be stated with certainty what was the function of the "prosmonarii" or "para-

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monarii," who are mentioned with the stewards and advocates. According to some writers, the administration of church property also devolved upon them; according to others, they were a sort of ostiarii or janitors.[29] In the conclusion of the canon, those who conduct the negotiations in the purchase or sale of an ecclesiastical position are dealt with. They are distinguished into two classes, according as they are either clerics or lay persons. The former incur deposition; the latter are anathematized. As the monks of the time were, with few exceptions, laymen, they were subjected to the same penalty as these.

The stipulations of the canon, in spite of their definite character, were violated at an early date. Only a few years after the council of Chalcedon had concluded its work, a synod was held (459 or 460) at Constantinople under the presidency of Gennadius I, then patriarch of the Imperial City (c. 458-471). The cause of the convocation of this synod is not known. We know, however, that the only document we possess of it, the circular letter regarding simony, was issued, as the letter itself states, owing to violations of the law of Chalcedon.[30] The following is a summary of the circular:

[29] See Percival, *The Seven Ecum. Councils* (New York, 1900), 269. (Vol. XIV of the *Nicene and Post-Nicene Fathers.*)

[30] Hefele, (*Concgesch.* II, 584-85), had some misgivings

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Our Lord, when He sent His apostles to teach all nations, gave them the command to freely give as they had freely received, as earthly treasures are no compensation for spiritual gifts. This command was not intended for the apostles alone, but also for those who succeeded them. As they had observed it, so now their successors must observe it and not sophisticate where sophistry is not admissible. The law is clear: "Freely have you received, freely give." It is as if Christ had said: "You received the sacerdotal dignity from me. If I sold it to you, you also may sell it; but if freely you received, freely also you should give." Woe then to the person, who, for money, acquires or bestows God's gift. Hence the assembled bishops have been led to renew and cite the second canon of the council of Chalcedon, which banishes all satanical invasion of the spiritual realm and all diabolical efforts in that line, and excludes the giving or accepting of money both before and after ordination or promotion. In spite of such a clear condemnation, violations of the law have been discovered in Galatia. Consequently the renewal of the pro-

regarding the genuineness of this writing, but withheld the reasons he had to doubt. It must be confessed that the character of the document seems to indicate a later stage of development, although its authenticity is generally admitted.

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visions of Chalcedon is appropriate, so that this impious habit may be eradicated and the grace of the Holy Spirit descend from above on the candidates for ordination. It is doubtful whether the latter receive His grace, when the ordination is performed with "tainted hands or whether it is not rather withdrawn."

"Be it therefore known to your holiness (the metropolitan) that whosoever will be detected as guilty in this matter, be he a bishop, chorepiscopus, itinerant ecclesiastic, priest, deacon or any person soever on the roll of the Church, or from among the laity, he has been condemned by common decree and common sentence of the bishops, as was already done in the above-mentioned canon of the holy Fathers. For grace must always be grace and money must not intervene (in its acquisition). Therefore purchaser and seller of grace, be he cleric or lay, be he convicted of guilt or not, shall be deposed from his ecclesiastical dignity and office and subject to excommunication. For God and mammon cannot be reconciled and those who serve mammon cannot serve God. The pronouncement of the Lord cannot be contradicted: 'You cannot serve God and mammon.'"

In conclusion, directions are given to the metropolitans to make the letter known to their suffragans and other persons, so that with one spirit

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and one soul, all may, with God's help, fight the common enemy, avarice.[31]

The clear prohibition of the acceptance of money, either "before or after ordination or promotion" seems to indicate that the important letter of Basil was, with the canons of Chalcedon, used in the deliberations of the synod. The doubt expressed regarding the reception of grace in "an ordination performed with tainted hands," already foreshadows the great controversy that was to agitate subsequent centuries, whether ordination thus received is valid or not.[32] We have a very curious piece of legislation in the wording of these penalties: condemnation is pronounced even against those *guilty* of simony, but *not convicted.* This may mean that the judges have certain knowledge, but no legal proofs, of the guilt of the party, and pronounce deposition. Their sentence in such a case will be reasonable, but will hardly commend itself to the public sense of justice. The second interpretation that may be given, is that the simoniacal person incurs deposition and excommunication by the very commission of simony, though this sin be absolutely unknown to the ecclesiastical authorities and the faithful. In this case the administrative acts of the culprit would

[31] Mansi, VII, 911-20.

[32] See on the history of this controversy, Saltet, *Les Réordinations* (Paris, 1907).

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be null, but there would be no authority to enforce the penalty. The punishment would fall not only on the culprits but on those over whom they are placed, and, as is easily perceived, would be the source of endless confusion. It is difficult to believe that this second meaning was intended, but there is nothing in the text to exclude it and it is more obvious than the first.

The imperial government seconded the efforts of the Church against simony. The emperor of the East, Leo I (457-74), issued in 469 an edict, addressed to the pretorian prefect Armasius or Armatus, which reads:[33]

"If any one is, through the instrumentality of God, raised to the episcopal dignity, either in this imperial city or in other provinces, which extend over the whole world, let his election proceed from men's purity of intention, the electors' clean conscience and the uncorrupted judgment of all. The episcopate must not be obtained through bargaining; but each candidate should be judged according to his deserts and not according to his material means. What place can be secure, what object inviolable, if the hallowed temples of God are captured with money? What wall of integrity, what rampart of faith shall we provide, if the cursed greed of gold stealthily invades the sacredness of the sanctuary?

[33] *Corp. Jur. Civ. Cod.* Lib. I, Tit. III, De Episcopo et Clericis. 30 (31).

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What can be out of danger, what secure, if the integrity of sanctity is corrupted? Let the sacrilegious ardor of avarice cease from menacing the altars and let this crime be cast out of the sacred place. In our times then, let a chaste and humble bishop be elected, that, wherever he appears, the purity of his life may be an object-lesson in every respect. Not money but prayers shall characterize his ordination. Ambition must be so far removed from him, that he has to be sought out for the imposition of the office, that he opposes a refusal to the demand and flight to insistence. Let the sole necessity he feels of declining the office be in his favor. For he is utterly unworthy of the episcopate, unless he accept it reluctantly. But if any one is known to have come into possession of this sacred and holy seat of the pontiff, through pecuniary influence, or to have accepted a remuneration for the ordination or election of another, he shall be tried for public crime and lese-majesty and deprived of the episcopal dignity. Nor shall he thenceforward be deprived of the honor only; but we decree that he shall be condemned also to perpetual infamy. Thus a similar penalty will be inflicted on those whom an identical crime has equally dishonored."

Only a few years later (473), an edict on this same subject, was issued for the Western Empire by Glycerius. It was addressed to the pretorian prefect of Italy, Himelco, and is so direct and

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emphatic that it too deserves to be quoted in its entirety:[34]

"Owing to a warning of the divine majesty, the object that claims our first attention at the beginning of our reign, is the greater reverence which should be displayed towards the most holy mysteries of the Christian religion. For it must not be called into question that the purer the worship which the innocence of the sacred ministers offers to the deity, the greater the favors which God, the Creator of the Universe, confers upon the created world. The vices of the clerics have been on the increase for a long time, and when we were yet in private life, we already convinced ourselves that, for the greatest part, the episcopate is not obtained through merit, but bought with money: shameful cupidity had, through custom, already made this practice appear lawful. The zeal for the possession of a good conscience has become extinct; and what was to be hoped for from God, has been placed within the reach of money and exaction. Thus the secular power of the bishops has superseded in the consideration of men the reverence due to their ecclesiastical office, and the bishops themselves have a more lively appreciation for civil honors. Thus it happened that, neglecting religion and placing themselves under the protection of men, they gave more attention to things public than divine, and escaped the punishment due to their faults in consequence of the very permanency of their sacred

[34] *PL.* 56, 896-98.

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office. Thus they were led to appropriate, systematically and under the semblance of real administration, the revenues of the churches. To disguise the shamefulness of their designs, they called these revenues the riches of the poor, and nevertheless they distributed immediate rewards to some, pledged themselves in writing to others, and sold at a disadvantage the goods destined for the poor. It is for this reason, we believe, that the offended deity has withdrawn its favors from us, has inflicted upon us so many evils and has visited the Roman people with the many calamities which have befallen us. For with what mouth or what impudence does he offer his supplications to the Author of the whole world, who has been elected for the offering up of the sacrifice, not through the judgment of the Holy Trinity, but owes his promotion to the favor of men? Or what will such bishops not consider venal, who have made a traffic of the sacred mysteries?

"Considering these reasons we have sanctioned by a law to be binding forever, that whosoever has obtained the episcopate with the undue help of other persons, shall possess according to the fashion of the world what he acquired acording to the fashion of the world, *i. e.*, after the lapse of a year he will be deprived of the episcopate. During the year in which he holds the title of bishop, an imperial commissioner will be in charge of the administration of ecclesiastical revenues. The bishop who consecrated such a man or who knew that money was given or

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promised to any one by the candidate for consecration, or who cleverly feigned ignorance regarding the character of the person striving to obtain the episcopal nomination, not by a pure conscience but by despicable payment, shall also be deprived of the episcopate, paying an identical penalty for his rash consecration-act. Not only churchmen, but any member of our religion is entitled to a hearing in proceedings against this secret evil, and those who can substantiate the charge will receive, at our discretion, a reward for their religious accusation. The inhabitants of any city who are actuated in their choice of the candidates, not by personal merits which should be attended to, but by punishable venality, shall incur banishment from their country, which they so ill serve, and forfeit to the public treasury an amount of their fortunes equal to the payment received.

"Far, therefore,[35] from the churches such base and sacrilegious auction; let the brokers cease their work in such shameful transactions. It is iniquitous to sell celestial things at auction. The great office of the episcopate, as it has been said, must be solicited not with money but by merit; and according to the rule of the ancient Fathers, the number and the character of the electors should be taken into consideration, and the life of the bishop-elect examined. For it is worthy of execration, that any one acquiring the episcopal rank through corruption

[35] This passage is corrupt; we give what we consider to be the correct meaning.

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should, even before he takes possession, exhaust the revenues of the church of which he should be the administrator rather than the possessor. This letter of our Serene Highness will, in our opinion, be repressive of the designs of the unrighteous and stir up honest men to greater earnestness in the pursuit of virtue. We cannot help, Himelco, dearest and most loving relative, expecting surer aid from the justice and mercy of God Almighty, when, through bishops of innocent and proved character, we will implore His omnipotent help. Hence your illustrious and exalted Excellency will, through the whole extent of our empire, effect the announcement and promulgation of this law of Our Serene Highness, which makes for the amendment of the bishops and ministers of our most sacred religion. And with our august hand (we add): Farewell, Himelco, dearest and most loving relative."

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CHAPTER IV

SIMONY IN THE WEST FROM 476 TO 590

I. Rome and Italy:—Conditions at Rome during the period — Intervention of Odoacer in papal election — The election of Pope Symmachus — The designation of Boniface II — Vacancy after his death — Election of Silverius — Pope Vigilius — Pelagius I — Eucaristus and the bishopric of Volterra — Vitalis of Milan — II. France:—Clovis and his sons and the Church — Quintianus and Apollinaris and the see of Clermont — Gallus and the same see — Cautinus succeeds Gallus — The successors of Cautinus — The machinations against Aetherius, bishop of Lisieux — The see of Rodez and Transobadus — The bishopric of Uzès and the civil government — King Guntram and simony — Retrospect — III. Other Countries:—The Vandals and the African Church — Gildas on ecclesiastical conditions among the Britons.

I. Rome and Italy

One of the causes that led to the direct intervention of civil rulers in the designation of successors to the papacy was the contested papal elections. These were not infrequent during the period now under consideration. While Italy was in the hands of the Ostrogoths, there existed at Rome a party favorable to these new rulers, which tried to put its own candidate upon the

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papal throne. At the same time the Romans of the old stock were of course little inclined to let such a dignity pass into the hands of persons who were in their eyes little short of barbarian.[1]

In 418 the emperor Honorius intervened in the disputed election between Boniface I and Eulalius, and finally decided in favor of Boniface. Pope Simplicius (468-83) even looked to the influence of the civil authority for the maintenance of peace in the Church after his death, as appears from the following incident. Upon his demise (March, 483), the Roman clergy and senate met in St. Peter's Church for the election of a successor. The pretorian prefect, Basilius, appeared at the meeting as the representative of King Odoacer and cited a request which Simplicius had made, while yet alive, to his royal master. The late pontiff had demanded that, in the interest of the peace of the Church, there should be no election for his successor until the civil authority had been consulted.[2] As Thiel observes,[3] this was not a claim on the part of Odoacer to confirm papal elections on principle; he merely contended that he had been asked by Simplicius to assure a peace-

[1] See Pfeilschifter, *Theoderich der Grosse*, 172-73.

[2] "Si eum (Simplicium) de hac luce transire contigerit, non sine nostra consultatione cuiuslibet celebretur electio." Thiel, *Epp.* 686 seq.

[3] *Op. cit.* 686, n. 24.

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ful election at his demise. It is not recorded that the assembled clergy and senate protested against this action of Odoacer. Felix III (or II) was elected (March, 483) probably with the consent of the king. The short interval between the death of Simplicius and the election of his successor speaks in favor of harmony between Odoacer and the Romans.

The interference of the civil power or of influential laymen in papal elections was, however, destined to turn out disadvantageously in many instances. The Roman senator, Festus, during a visit which he made to Constantinople during the reign of the emperor Anastasius, had agreed with him to obtain the consent of Pope Anastasius II to the "Henoticon" of the emperor Zeno. On his arrival in Rome he found the Pope dead (November, 498).[4] He immediately saw his opportunity in the forthcoming election and used his influence and wealth to procure the succession for a candidate of his own choice. A double election took place, the followers of Festus setting up Laurentius in opposition to the pope-elect Symmachus. As peace was impossible between the two contending parties, it led to a new intervention of the secular power in papal affairs.

[4] Theodor. Lector, II, 16, 17, *PG.* 86, 1, 189 seqq.; *Lib. Pont.* I, 260 seqq.; Theophanes, *Chronog.* Ad ann. 492, 493.

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King Theodoric, probably appealed to by both sides, decided with great fairness in favor of the candidate who had obtained the larger number of votes and had first received consecration. Festus and his candidate were defeated. The success of Symmachus in obtaining a favorable royal decision was attributed by the Laurentian party to bribery.[5] A divergency of opinion exists among modern writers as to whether there was any actual foundation for the accusation. Duchesne[6] and Grisar[7] assert that it was sheer calumny; Hartmann[8] is strongly inclined to admit the truth of the charge; while Pfeilschifter[9] unhesitatingly, and it would seem rightly, declares that money played a part in obtaining the royal confirmation at Ravenna. While the author of the Laurentian fragments is untrustworthy, the same cannot be said of Ennodius, who asserts that more than 4000 gold solidi (about $1,250) were distributed among persons of influence at court.[10] Ennodius's bishop, more probably Laurentius of Milan,[11] advanced the money under guarantee of repayment by the Apostolic See. In spite of the repeated demands of Ennodius, the sum had not been

[5] *Lib. Pont.* I, 44.
[6] *Lib. Pont.* I, 263, n. 5.
[7] *Gesch. Roms.* I, 721.
[8] *Gesch. Ital.* I, 143.
[9] *Theoderich*, 57.
[10] Ennodius, *Epp.* III, 10, *MGH. Auct. Ant.* VII, 83 ed. Vogel (Berlin, 1885).
[11] Pfeilschifter, *l. c.* n. 7.

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refunded about the year 507.[12] The names of the persons who had accepted payment were not unknown to Ennodius; but he did not deem it safe to mention them in his letter. Whoever they may have been, it is certain that King Theodoric emerged from the affair with clean hands and without having been influenced by any of his subordinates.[13] It may be added also that those who made the distribution hardly considered it objectionable, as appears from the edict of King Athalarich, issued shortly after.[14]

Symmachus, out of consideration for his opponent, appointed Laurentius to the bishopric of Nuceria. Festus, however, made another attempt to deprive Symmachus of his office by bringing baseless criminal charges against him; this also ended in failure.

Pope Felix IV (III) (526-30) owed his final success in obtaining the papal dignity to the support of Theodoric.[15] A few days before his death, he designated, in presence of high civil and ecclesiastical personages, his own successor in the person of the archdeacon Boniface. The reasons for this action were set forth in the papal

[12] Ennodius, ed. cit. 223, 229, *Epp.* VI, 16, VI, 33.
[13] Pfeilschifter, *op. cit.* 57, 58.
[14] Cassiod. *Variae*, IX, 15.
[15] Cassiod. *Variae*, Lib. VIII, Ep. 15, *MGH. Auct. Ant.* XII, 246, ed. Mommsen.

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edict, which brought the designation to the knowledge of the Roman people. The church treasury was empty. It could not bear the expenses of a new electoral campaign, in which the candidates would outbid one another in promises of distribution of money or similar engagements; and it was with ecclesiastical revenues that such promises were usually redeemed.[16] Very probably political considerations also played a part in this nomination of the first pope of Germanic ancestry. This appears the more likely from the fact that when Boniface II, the candidate designated by Felix, assumed succession, the majority of the clergy and senate elected the Greek deacon Dioscorus in opposition to him. The danger of a schism was averted only by the timely death of Dioscorus shortly after his appointment (October 14, 530).[17] Boniface II, now universally recognized, obliged the ecclesiastical partisans of his late rival to sign a decree condemning Dioscorus. It has been asserted by different writers[18] that Dioscorus was anathematized for simony. But this contention cannot be substantiated. The letter of Justinian appealed to in support of the statement does not speak of a simoniacal trans-

[16] See Hartmann, *Gesch. Italiens*, I, 237.

[17] *Lib. Pont.* I, 281.

[18] Baronius, Ad an. 530, nos. 2-4; *Dict. Christ. Biog.* s. v. Boniface, II.

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action. Nor does the official text of the condemnation which we now possess make the least mention of simony.[19]

As to the long vacancy which occurred after the death of Boniface II (from October 17, 532, to January 2, 533), it was caused by a heated electoral campaign and simoniacal intrigues. The canvassing and bidding for votes was carried on with such activity that the ordinary church funds were exhausted, and sacred vessels were put up for sale in order to cover the expenses of the contest.[20] John II finally secured the succession. To suppress such abuses as these, the Gothic government issued the prohibitions spoken of elsewhere.

After the brief reigns of John II (533-35) and Agapitus (535-36), Silverius (536-37) who was a subdeacon and son of Pope Hormisdas, was elected with the help of King Theodat. Anastasius in the *Liber Pontificalis* tells us that Silverius obtained the office by bribing the king. But this statement should not be admitted without reserve, for Anastasius is the only authority for it. The nomination of a mere subdeacon was against Roman custom and must have aroused opposition. The chronicler of the history of the

[19] *Lib. Pont.* I, 282, n. 8; Duchesne, *La Succession du Pape Félix IV* in *Mélanges de l'Ecole Française de Rome* (Rome, 1883).

[20] *Lib. Pont.* I, 283, n. 16; Cassiod. *Variae*, IX, 15.

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popes denounces Theodat vehemently, probably in stronger language than was warranted by the facts. Such a proceeding is not unusual among historical writers under similar circumstances. Moreover, it is not the only instance of its kind met with in the *Liber Pontificalis*. The account which Liberatus [21] gives of the same event certainly does not show the slightest trace of the great strife which is supposed to have divided Rome at the death of Agapitus. He simply tells us that "when the news of the death of the pope, who died at Constantinople, reached Rome, the city elected the subdeacon Silverius, son of the former pope Hormisdas." We must be cautious then in admitting the charge of simony brought against Silverius. As Duchesne remarks, we here have "one of those accusations so readily put forward by partisan feeling because its verification is most frequently impossible." [22]

At the death of Agapitus, the empress Theodora seems to have lost no time in seizing the opportunity to secure the appointment of a pope favorable to Monophysitism. She found her candidate in Vigilius, a deacon of Agapitus. Vigilius was promised the papacy and seven "centenaria," if he consented to the disapproval of the council of Chalcedon and to the confirmation of the

[21] *Breviar.* c. 22, *PL.* 68, 1039.
[22] *Lib. Pont.* I, 293, n. 2.

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doctrine of the deposed Monophysite patriarchs, Anthimus (Constantinople), Theodosius (Alexandria) and Severus (Ephesus). Vigilius, influenced "by the love of the episcopate and of gold," [23] gladly acceded to the proposition. But on his arrival in Rome from the East he found that Silverius had already been consecrated pope. He asked, nevertheless, for the coöperation of Belisarius in the realization of his plans. The great general, who was then waging war on the Goths in Italy, was promised two "centenaria" of gold,[24] if he would procure him the papal office. The timely death of Pope Silverius (537) permitted of an early execution of the scheme. Vigilius, who had already been consecrated during the lifetime of Silverius, was now recognized as legitimate pope by the Roman clergy. Once in possession of the coveted position, he did not show himself anxious to fulfil all the engagements he had entered into. He never approved Monophysitism. Belisarius, however, was duly rewarded for his services.[25] In the controversy of the Three Chapters, it was, according to Facundus of Hermiane,[26] venality that prompted Vigilius to issue the *Judicatum* (April 11, 548). But the author-

[23] Liberat. *Breviar.* c. 22, *PL. l. c.* 1040.
[24] Liberat. *Breviar.* c. 22, *PL. l. c.*
[25] Liberat. *Breviar. ibid.* et seqq.
[26] *Liber contra Mocianum, PL.* 67, 861.

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ity of the passionate Facundus is not sufficient guarantee for the unqualified admission of the truth of the charge. Yet it will be well to remember with Duchesne,[27] that Vigilius "has always been reproached for being fond of money."

It was to the civil power that Pope Pelagius I (556-61), whose case will be more appropriately discussed in the chapter on anti-simoniacal legislation, owed his elevation to the papacy. The civil authority, on the contrary, was in no way concerned with the election and consecration of his namesake Pelagius II, who brings us down to the year 590. No imperial confirmation was sought for in his case because, as the chronicler explains,[28] Rome was then besieged by the Lombards. The fact that an explanation is offered for the absence of the emperor's confirmation shows how natural and how well-established a custom it already was for the Romans to look for civil approval in all papal elections.

Historical records, such as we have them, speak of but few instances of simony in the rest of Italy during the period. At a synod held in 496, Pope Gelasius decided the case between Eucaristus, a

[27] *Rev. des quest. hist.* XXXVI (1884), 402, note. The whole art. "Vigile et Pélage." runs from 369-440. It was answered by Dom F. Chamard, *Rev. des quest. hist.* XXXVII (1885), 540-78. Duchesne replied, *Ibid.* 579-93. Lévêque, *Etude sur le Pape Vigile.* (Amiens, 1887).

[28] *Lib. Pont.* I, 309.

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former pretender to the episcopal see of Volterra, and Faustus a "defensor" of the Roman Church. Eucaristus had paid Faustus 63 solidi to be expended in securing for him the bishopric of Volterra, a transaction which Faustus had duly acknowledged by handing over a receipt to the payer. Eucaristus's life and conduct proved an obstacle to the conferring on him of the honor; but he now demanded that his money be refunded. Faustus, while admitting that he had received the money, claimed to have expended it according to the wish of the giver. It was duly established in presence of the "curiales" of Volterra that 31 solidi and 2 tremisses were paid to Faustus specifically for his mission (*ad eius delegationem*). Out of this sum 22 solidi and 2 tremisses were used to cover the expenses of the curiales engaged in the case. Eucaristus, however, could not be elected to the see of Volterra; for he was publicly known to be a parricide and was also, according to his own confession, a forger. The nine remaining solidi were spent to exonerate Eucaristus from the crime imputed to him. The expenditure of all these funds was, therefore, considered to have been made in the interest of Eucaristus and with his approval. Faustus was declared innocent, and the receipt in Eucaristus's possession was to be immediately returned to him. As long as it was

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detained by the sham bishop it would be null and void.[29]

In the proceedings which gave a certain Vitalis the episcopal see of Milan in 552, there was more imperial favor than any genuine election. The consonance of the candidate's ideas with imperial views on the theological discussions of the time, rather than real merit, raised him to episcopal honors. Narses acted as the emperor's representative on that occasion, and his conduct in the matter received the warm approval of Pope Pelagius shortly afterwards.[30]

II. Simony in France.

The strength of the royal power and the Germanic religious ideas forced the Church to leave in the hands of the kings more authority in religious affairs than they were entitled to in virtue of their position. This politico-religious authority in the hands of half-barbarian rulers opened the door to intrigue and bribery; simony was, therefore, rampant under the Merovingian kings. No

[29] Löwenfeld, *Epistolae Pont. Rom. Ineditae*, nos. 9, 22 (Leipzig, 1885); Ewald, *Die Papstbriefe der Brit. Sammlung, Neues Archiv*, v (1880), nos. 14, 45, 58, 63, 64 and pp. 526-33.

[30] Jaffé, 1038; *PL.* 69, 395; Duchesne, *Rev. quest. hist.* xxxvi (1884), 432.

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instance of it is recorded during the reign of Clovis (481-511), the first Christian king of the Franks. But, as has been pointed out by Loebell,[31] a ruler who had first embraced the faith himself and then assured its triumph to a great extent among his people, would naturally be most readily listened to by the clergy even in ecclesiastical affairs. When Bishop Remigius of Rheims, who had converted him, was violently attacked by his fellow-bishops, Heraclius of Paris, Leo of Sens and Theodosius of Auxerre, because of the ordination of an unworthy priest, Claudius, the bishop answered in a letter written about 510, that he had ordained this priest not for reward, but upon the *injunction* of the most excellent king, the propagator and defender of the Catholic faith.[32] At the same time, he gave those to whom he addressed his letter to understand that their own nomination had not been entirely free from royal influence.[33] Shortly before his death, Clovis convoked a council, which met at Orléans on July 10th, 511. It forbade abbots, priests and all clerics and monks to solicit benefices from princes, without previous examination or recommendation by the bishop. The violation of the prohibition was to be punished with deposition and the priva-

[31] *Gregor von Tours*, 337-8.
[32] Bouquet, IV, 52.
[33] See Vacandard, *Etudes de Critique*, 128-29.

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tion of communion until such time as satisfactory penance would be performed.[34] The enactment was not only conducive to the elimination of appointments due to the patronage of the powerful; it also tended to reduce the presentation of gifts on the occasion of nominations to ecclesiastical positions. For according to the received notions of the northern nations, as Lingard [35] has observed, the inferior blushed to approach the throne of his superior without a present. A mere donation has, of course, nothing to do with simony. But princes at an early date exacted as some sort of a debt what had been at the beginning spontaneously offered. Ecclesiastical writers of the period usually speak with disapprobation of the presentation of gifts on the occasion of ecclesiastical appointments. Such action must have awakened in their minds the idea of exchange or at least undue relation between the earthly donation and the spiritual preferment.

The power which their father had exercised over religious affairs, the sons of Clovis were not to let slip from their hands when they began to reign over his divided dominions. But his disinterestedness was not very scrupulously imitated by them. Gregory of Tours, speaking of the period during which they reigned, tells us that it was a

[34] Can. VII, Maassen, *Concilia*, 4; Hefele, II, 662-63.
[35] *Anglo-Saxon Antiq.* 105.

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time, when "bishoprics were sold by princes and bought by clerics."[86] Gregory goes to special pains in giving us details of affairs in his native Auvergne. He tells us that on the death of Eufrasius, the bishop of Clermont, in 515, the people elected Quintianus, a native of Africa and former bishop of Rodez, who, driven from his episcopal see by the Goths owing to his friendliness to the Franks, had taken refuge in Clermont. But the popular decision was to be modified and the succession to go to Apollinaris, the son of Sidonius Apollinaris. Placidina, the wife of the Apollinaris who was to supplant Quintianus, and Alchima, his sister, called upon the bishop-elect and besought him to abandon the office to their relative. Quintianus, already advanced in years and not very desirous of again throwing himself into the activities of diocesan government, consented to step aside in favor of Apollinaris. The two women now despatched the latter to Theodoric, king of Austrasia and part of Southern France (511-33/34). Apollinaris saw the king, made a generous presentation of gifts and obtained the bishopric. He died, however, three or four months after his appointment. When the news of his demise reached Theodoric, he ordered Quintianus to be created bishop of Clermont, remarking:

[86] *Vitae Patr.* VI, 3, in *MGH. SS. Rer. Mer.* I, 682.

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"His love for us has caused this man to be driven from his see." The king's legates convoked the bishops of the province and the people of the city, and Quintianus was made bishop of Clermont.[37] The inhabitants saw nothing inappropriate in this royal action.

When they elected a successor to Quintianus in 525, the king altogether ignored their choice. Gregory of Tours tells us that his uncle Gallus, "through the king's favor, filled the vacancy."[38] Gallus had lived for some time at the court of Theodoric where he was held in great esteem both by the king and the queen.[39] At the time of Quintianus's death, he happened to be sojourning at Clermont. The inhabitants met at the house of the priest Impetratus and discussed at much length the question of the succession, without arriving at any definite conclusion. After their departure, Gallus favored with divine inspiration according to Gregory, remarked to a cleric, Viventius by name: "To what purpose all this bustle and these discussions. I will be

[37] *Hist. Franc.* III, 2, *MGH. SS. Rer. Mer.* I, 109-10; *Vitae Patrum*, c. IV, *ibid.* 674-75. For this and subsequent events see also Hauck, *Die Bischofswahlen unter den Merow.* and Vacandard, *Les Elections Episc. sous les Mérov.* in *Rev. quest. hist.* (1898), LXIII, 321-83, reprinted with modifications in the author's *Etudes de crit.* (Paris, 1906), 123-87. The case of Apollinaris is treated in the *Etudes*, 132.

[38] *Hist. Franc.* IV, 5. [39] *Vitae Pat.* VI, 2.

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bishop. As for yourself, when you hear of my return from my visit to the king, meet me with my predecessor's horse prepared for me. Your disregard of my injunction may occasion you much regret in the future." At these words, Viventius flew into such a passion that he dashed Gallus against the bedstead upon which he was reclining and wounded his side. After this rather unpleasant encounter and the departure of the pugnacious cleric, Impetratus advised Gallus to journey to the royal court and inform the king of the death of Quintianus and the happenings at Clermont. "Divine inspiration," he added, "might prompt him to confer the bishopric on you; if not, it will be a recommendation for you with the appointee." Gallus repaired to the court and during his sojourn there, Aprunculus, bishop of Treves, also died. The clergy of this city applied to Theodoric for Gallus as their bishop. The king refused on the ground that he destined him for another see; Nicetus was then made bishop of Treves. A deputation from the clergy of Clermont who had elected another than Gallus now appeared at court and, with a large number of presents, requested the king to confirm their choice. The king declined, and informed them that Gallus would be their bishop. Being as yet only a deacon, he was ordained to the priesthood and the king gave a public banquet in honor of the

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future bishop. Referring to this event, Gallus was later wont to say that the episcopate had only cost him the "treans" which he gave as a gratuity to the cook who had prepared the dinner. The fact that Gallus was received with enthusiasm by the inhabitants of his episcopal city shows that they did not even think of protesting against the action of the king.[40]

At the death of Gallus in 553, Cato was designated by the popular vote as his successor. The archdeacon Cautinus, whose relations with the newly elected candidate had been of the most harmonious character, offered to obtain for him without remuneration, the final sanction of the king. All he demanded was the enjoyment of the prospective bishop's favor. The latter declining his services, Cautinus proceeded to the court of King Theodobald (548-55), informed him of the death of Gallus and showed no reluctance to accepting a nomination for himself. The king called a meeting of bishops at Metz (of what province we are not told), and, before the messengers of Cato reached the city, Cautinus received episcopal consecration. The failure to take into consideration the expression of the will of the people had disastrous results in this instance. Cautinus proved to be an unworthy bishop,

[40] *Vitae Pat.* VI, 3; Vacandard, *Etudes de crit.* 134.

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avaricious, and addicted to drink. The strength of four men, Gregory of Tours tells us, was on several occasions hardly sufficient to carry him from table in a state of intoxication. Cato refused to submit to him and had his followers. He intrigued to oust Cautinus and take his place. Profiting by his friendship with Chramnus, the son of the then reigning king Clothaire, he entered into an agreement with him that, if the king were to die, Cautinus should be immediately turned out of his see and Cato put in his place. On another occasion he paid a woman to proclaim in church, as if under divine inspiration, his greatness and holiness, and to revile Cautinus as guilty of all crimes and unworthy of the episcopate.[41] But his exertions were of no avail, and by the time that death deprived Cautinus of his see (c. 571), Cato had already succumbed.

Numerous were those who contended for the vacancy, many were the gifts they offered and substantial the promises they made. Eufrasius, a priest and son of the former senator Euvodius, lacking the merit requisite for the position, tried to obtain it through bribery. Having procured a considerable sum of money from some Jews, he sent it to the king through his kinsman Beregisilus. He failed, however, to obtain the nomi-

[41] Greg. *Hist. Franc.* Lib. IV, 5-7, 11-12, 15.

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nation. The clergy of Clermont elected the archdeacon Avitus, who had made no promises to his electors, and the king sanctioned their choice. An attempt on the part of the count of Clermont, Firminus, to delay the consecration of the bishop-elect was not successful. The count's friends, who journeyed in his stead to the royal court, offered the king 1000 pieces of gold for one week's delay in the consecration of Avitus. Eufrasius, according to Roth,[42] was at the bottom of this scheme. The statement is not devoid of all probability, but the passage of Gregory of Tours, cited to substantiate it, does not clearly convey that meaning. At all events, the king declined to withhold even for a few days his approbation of the selection of Avitus, and the latter was consecrated at Metz.[43]

Our information on ecclesiastical affairs in Gallic dioceses other than Clermont, is frequently scant and incomplete during this period; yet a few more instances may be recorded in which money played a part in the attempted or actual acquisition of spiritual advantages. About 560 a certain Aetherius was bishop of Lisieux in Normandy. According to Gregory of Tours, he was a man more remarkable for his excessive clemency than for his prudence. He had twice intervened

[42] *Beneficialwesen*, 270, n. 103.
[43] *Hist. Franc.* IV, 35.

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in favor of a disreputable cleric and saved his life. In return for these services, the cleric combined with an archdeacon of the city against the bishop. They formed a plot, the object of which was the assassination of Aetherius and the substitution of the criminal cleric. They canvassed the city offering rewards to their supporters; but their scheme ended in failure because at the last moment courage deserted the assassin who had been hired to deliver the death-blow. Not only did he abstain from executing his murderous design, but he even made a full confession to the bishop.[44]

On the death of Dalmatius, bishop of Rodez (c. 580), there were as usual, writes Gregory of Tours, many competitors for his place. Chief among these was the priest Transobadus. This ecclesiastic entertained the clergy of the city at dinner, not out of any desire to promote their bodily welfare and social pleasure, but because he wished to dispose them favorably to his own episcopal aspirations and thus gain their votes. In spite of these efforts, the office went to the archdeacon of Rodez, Theodosius.[45] The latter's rule was of short duration; he died in 583, and a new opportunity thus presented itself to Transobadus to seek the

[44] *Hist. Franc.* VI, 36; *Gallia Christ.* XI, 763-64; Fisquet, *La France Pontificale, Métropole de Rouen, Bayeux et Lisieux*, 223-24.

[45] *Hist. Franc.* V, 46.

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highest ecclesiastical dignity of the city. His exertions, however, met with no greater success than in the previous instance. That he had rivals, and strenuous and unscrupulous ones, there can be no doubt. The scandals and contentions attendant upon this election were so great that they were extraordinary even for this age of semi-barbarism. The church of Rodez was stripped of most of its sacred vessels and all its best effects.[46] What use was made of these treasures by the contending parties is not recorded; that at least part of them became a means of gaining supporters for this or that candidate is, if we take contemporary conditions into account, by no means unlikely. Innocent, count of Gévaudan, secured the succession with the help of Queen Brunehilde.[47]

Confusion reigned in the see of Uzès about 581 owing to the fact that Dinamius, the governor of Provence, tried his skill in episcopal nominations without royal authorization. To this official Albinus owed the episcopal dignity, which he held only three months. At his death, the king confirmed one candidate, Jovinus, a former governor of the province, while Dinamius confirmed another, Marcellus, a deacon and son of the senator Felix. That a conflict ensued between the two rivals need

[46] *Ibid.* VI, 37, 38. [47] *Ibid.*

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scarcely be mentioned; Marcellus, by a judicious use of presents, triumphed over his opponent and remained in sole possession of the see.[48] Uzès belonged at the time to the kingdom of Childebert II (575-96); but from this fact it does not necessarily follow that Childebert received the presents. Intermediaries may have been the recipients and, in return, may have exercised their influence with their royal master. The promise of the see of Toulouse, which Sagittarius, bishop of Gap (560-85) received from prince Gundovaldus was evidently due more to the political support of this unsuccessful pretender's cause than to the discovery in the criminal Sagittarius of episcopal qualifications which he did not possess.[49]

As for King Guntram of Burgundy (561-92), he showed no inclination to yield to the persuasive influence of gifts, on the occasion of the nomination of a successor to Bishop Remigius or Remedius of Bourges in 584. To the many applicants presenting themselves before him with gifts, he is said to have answered: "It is not our custom to sell the episcopal dignity, lest our name be dishonored by such a shameful transaction; but neither should you buy it, lest you be compared to Simon Magus. Sulpicius, according to divine foreknowledge, will

[48] *Hist. Franc.* VI, 7.
[49] Greg. of Tours, *Hist. Franc.* VII, 28.

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be your bishop." [50] Unfortunately, the irresolute ruler did not always live up to his sound principles. When Gregory of Tours speaks of the king who sold the bishopric of Eauze to a certain Desiderius, he refers, as Hauck has proved,[51] to no other than Guntram. Eauze was the capital of the province of Novempopulania and disappeared as an episcopal see in the seventh century. In 585 it lost its bishop by the death of Laban. Though Guntram was opposed to simoniacal elevations to the episcopate and had even taken an oath never to raise a layman to that dignity, yet he yielded to bribery and violated his oath by promoting Desiderius to the vacant see. To find terms sufficiently expressive of his indignation at such a proceeding, Gregory falls back upon his classical reminiscences and exclaims with Virgil: [52] "To what extremes does not the accursed thirst for gold force human hearts?" [53] It would be contrary to historical truth, however, to conclude from this royal transgression that Guntram was always accessible to simoniacal influence. As Hauck [54] and Vacandard [55] have observed, the appointment of Desiderius to the see of Eauze is the only case in which guilt of simony can be proved against Guntram. The very year in which

[50] *Hist. Franc.* VI, 39.
[51] *Bischofswahlen*, 34, n. 99.
[52] *Aen.* III, 56 seq.
[53] *Hist. Franc.* VIII, 22.
[54] *Op. cit.* 34, n. 100.
[55] *Rev. quest. hist.* (1898), LXIII, 353.

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this event occurred, the king refused the presents of the deacon Waldo, who sought the confirmation of his election to the see of Bordeaux.[56]

The facts narrated show the deplorable conditions existing in the church of France during the period. The kings sold bishoprics or appointed their favorites to them.[57] Bribery was resorted to not only to obtain their sanction of elections, but also to gain the support of the courtiers or that of the electors of the episcopal city. As to the clergy in whom we would expect a better understanding of spiritual things, we find, at first sight, that they were more ready to buy dignities than the kings were to sell them. We must not forget, however, the great disproportion between the number of clerics and the number of kings; and, to form a correct judgment of the whole situation, we must remember the divided and semi-barbarous state of society. But even keeping these considerations in mind, we cannot but have an unfavorable idea of ecclesiastical affairs at the time. When Gregory of Tours speaks of the usually numerous competitors for an episcopal see; when he refers to part of the period as a time when bishoprics were sold by kings and bought by clerics; when Gallus of Clermont sarcastically boasts of the small price which

[56] *Hist. Franc.* VIII, 22.

[57] See Loebell, *Gregor v. Tours*, 344-45; Hauck, *Bischofswahlen*, 26-28, 34-35.

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the episcopate cost him, we cannot but understand that the traffic in bishoprics was one of the great evils of the time. The one bright page in this history from an ecclesiastical point of view, is the opposition displayed by the zealous bishops taken from the celebrated monastery of Lerins. They were the soul of the movement against simony, and to their efforts is due, to some extent, the restrictive and condemnatory legislation of the period. First and foremost among them ranked the great Cæsarius, who occupied the see of Arles for forty years (502-542). His activity extended far beyond his diocese and his lifetime, and, in a large measure, affected the moral life of the French Church.

III. Simony in Other Countries.

Although simony does not seem to have been very prevalent in Northwestern Africa, ecclesiastical conditions there were far from satisfactory. The country had been invaded and conquered by the Vandals into whose hands Carthage fell in 439. Like most of the German Barbarians, the conquerors were Arians. Under their first king in Africa, Genseric (439-477) they indulged in a kind of persecution of Catholics rather unusual with the Teutonic nations; it took the form of confiscation of churches and church property and suppression of public worship. Genseric im-

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prisoned or banished the Catholic bishops of his dominions and forbade the consecration of new ones. That under such circumstances disorganization reigned, not only during the persecution, but also during the years immediately following, will be readily understood. A year before his death, Genseric had shown himself more just to his Catholic subjects, allowing them to bring back their bishops and clergy from exile and to reopen their churches. His son, Hunneric, who succeeded him and reigned for seven years from 477-484, continued for a time the same lenient policy. But towards the end of his reign he set in motion a cruel persecution against the Catholic Church. Of his banishment of bishops and worse cruelties we have not to speak. More pertinent is the fact recorded by Victor Vitensis [58] that he contemplated a general law for his dominions, confiscating the property of deceased bishops, and enjoining the payment to the royal treasury of 500 solidi by any successor before he could be consecrated. The suggestion by persons of his immediate surrounding that the enactment of such a law would lead to reprisals against the Arian bishops in the Eastern empire made the king desist from carrying out his plan.

Victor of Tunnunum is authority for the statement that Firmus, bishop of Tipasa in Numidia

[58] *De Pers. Vand.* Lib. II, VII, *MGH. Auct. Antiq.* III, 18, ed. Halm (Berlin, 1878).

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(525-53), assented to the Three-Chapters through corruption. He yielded to the persuasiveness of the gifts of the prince, *i. e.*, the emperor Justinian.[59]

Unfortunate as was the condition of Catholics under the fierce Vandals, far more deplorable still was that of the British Church. Northwestern Africa groaned principally under the oppression of its rulers. The Britons suffered from woes both external and domestic. To the disasters and misery which followed upon the Saxon invasion, were added moral degeneracy and corruption in high station in the church itself. "The long and unsuccessful wars which they had waged against their fierce invaders, had relaxed the sinews of ecclesiastical discipline; and the profligate manners of their clergy were become, if we may credit the vehement assertions of Gildas, an insult to the sanctity of their profession."[60] Speaking specifically of the simony of the clergy, this ancient unsparing chronicler writes:

"For what is so wicked and so sinful as after the example of Simon Magus (even if with other faults he had not been defiled before), for any man with earthly price to purchase the office of a bishop or

[59] Victor Tunn. Ad ann. 552, *Auct. Antiq.* XI, 202.

[60] Lingard, *Antiquities of the Anglo-Saxon Church*, 40-41 (Philadelphia, s. d.). On the testimony of Gildas regarding the state of the British Church, see Cabrol, *L'Angleterre Chrét. avant les Normands* (Paris, 1909), 48-52.

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priest, which with holiness and righteous life alone ought lawfully to be obtained; but herein they do more wilfully and desperately err, in that they buy their deceitful and unprofitable ecclesiastical degrees, not of the apostles or their successors, but of tyrannical princes, and their father the devil; yea, rather they raise this as a certain roof and covering of all offences, over the frame of their *former serious* life, that being protected under the shadow thereof, no man should lightly hereafter lay to their charge their old or new wickedness; and hereupon they build their desires of covetousness and gluttony, for that being now the rulers of many they may more freely make havoc at their pleasure. For if truly any such offer of purchasing ecclesiastical promotions were made by these impudent sinners (I will not say with St. Peter), but to any holy priest or godly king, they would no doubt receive the same answer which their father Simon Magus had from the mouth of the apostle Peter, saying: 'Thy money be with thee unto thy perdition.' But, alas! perhaps they who order and advance these ambitious aspirers, yea, they who rather throw them under foot, and for a blessing give them a cursing, whilst of sinners they make them not penitents (which were more consonant to reason) but sacrilegious and desperate offenders, and in a sort install Judas, that traitor to his Master, in the chair of Peter, and Nicholas, the author of that foul heresy, in the seat of St. Stephen the martyr, it may be, at first obtained their own priesthood by the same means, and therefore do not greatly dislike in their children, but rather respect the course, that

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they their fathers did before follow. And also, if finding resistance in obtaining their dioceses at home, and some who severely denounce this chaffering of church-livings, they cannot there attain to such a precious pearl, then it doth not so much loath as delight them (after they have carefully sent their messengers beforehand) to cross the seas, and travel over most large countries, that so, in the end, yea even with the sale of their whole substance, they may win and compass such a pomp, and such an incomparable glory, or to speak more truly, such a dirty and base deceit and illusion. And afterwards with great show and magnificent ostentation, or rather madness, returning back to their own native soil, they grow from stoutness to stateliness, and from being used to level their looks to the tops of the mountains, they now lift up their drowsy eyes into the air, even to the highest clouds, and as Novatus, that foul hog, and persecutor of our Lord's precious jewel, did once at Rome, so do these intrude themselves again into their own country, as creatures of a new mould, or rather as instruments of the devil, being even ready in this state and fashion to stretch out violently their hands (not so worthy of the holy altars as of the avenging flames of hell) upon Christ's most holy sacrifices." [61]

[61] *De Excidio Britanniae*, ed. Mommsen in *MGH. Auct. Antiq.* XIII, *Chronica Minora*, Pt. I, 62-64 (Berlin, 1894). We have reproduced the translation of J. A. Giles, *Six Old English Chronicles*, parag. 66, 67, pp. 343-46 (London, 1848) in Bohn's *Antiquarian Library*. The rendering of the Latin "scelestae" by the word "serious," which we have italicized in the text is obviously due to an oversight or a misprint.

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Only a citation in full of this passage could give the reader a correct view, as far as this is possible under the circumstances, of British ecclesiastical conditions, as Gildas saw them. Corruption must have been very prevalent, if we are to believe the distressing generalities of this carping chronicler, who never spends much time in the enumeration of definite facts and does not quote so much as one in this particular instance.

In Spain Isidore of Seville and John of Biclaro are unanimous in relating that about 580, numerous Catholics abandoned their religious faith and adopted Arianism. They add that bribery was at the bottom of these defections.[62] Apart from these indications, no specific case of simony can be cited in Spain. It is evident, however, from the Spanish legislative enactments of the period that the traffic in sacred things was not by any means unknown. In the appointment to bishoprics it may have prevailed to a less extent than in the Merovingian kingdoms; but in the administration of the sacraments it was probably more prevalent. In no ecclesiastical law framed among the Franks do we find such insistence on the free administration of baptism as appears in Spanish legislation.

[62] Isid. *Hist. Goth.* c. 50, *MGH. Auct. Antiq.* XI, 288, ed. Mommsen; Johan. Biclar. *Chronic.* Ad ann. 580, *ibid.* 216; see Gams, *Kirchengesch. von Span.* II, 1, 490.

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CHAPTER V

OPPOSITION TO SIMONY IN THE WEST FROM 476 TO 590

I. Opposition at Rome and throughout Italy:—Latin translation of the second canon of Chalcedon — The Roman synod of 502 — The "Canonical Letter" and the "Liber Ecclesiasticorum Dogmatum" —Letter of Pope Gelasius I — Enactments of the Roman synod of the year 499 — Letter of Pope Symmachus to Cæsarius of Arles — Pope Pelagius I and simony — Anti-simoniacal edict of King Athalaric — II. Opposition to simony in France and Spain:—Canons of the council of Orléans (533) — Council of Clermont (535) — The fifth synod of Orléans — The second council of Tours — Letter of Pope Hormisdas to the Spanish Church — The third synod of Braga.

I. Opposition to Simony at Rome and throughout Italy

The second canon of the council of Chalcedon, which has been discussed and which contains such a strong condemnation of simony, was perhaps almost immediately made accessible to the West in a Latin translation. Certain it is that in March, 453,[1] Pope Leo I requested Bishop Julian of Cos, who had been one of the Roman repre-

[1] Jaffé, 489.

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sentatives at the council of Chalcedon, to make a translation of its Acts.

Quesnel considers this a sufficient reason to attribute to Julian the *Prisca* or *Antiqua,* the oldest Latin version, which we have of the synod,[2] an attribution which is rejected by Baluze.[3] As we have no positive proof that Julian complied with the request of his friend, he can, at the very best, be looked upon only as a probable author of the translation. The first certain trace of the existence of the Acts in Latin is found in the writings of Facundus of Hermiane. In his "Defense of the Three-Chapters," a work which he composed about 546, Facundus used the version known as the *Prisca.*[4] The Roman ecclesiastic Rusticus undertook a revision of the same translation in 549 or 550.[5] It had, therefore, a wide circulation in the middle of the sixth century.

The funds and property of the Church were frequently used by papal and episcopal candidates after their election, to redeem the promises of temporal reward which they had previously made to further their appointment. Some attention, therefore, ought to be given here to the pro-

[2] See Maassen, *Gesch. der Quell. des Kan. Rechts.* 139-46.

[3] See Mansi, VII, 654 seqq.

[4] Lib. III, c. 5, *PL.* 67, 598 seqq.

[5] See the Latin version of the canon in *PL.* 56, 537, and in Maassen, *op. cit.* 945.

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hibitions regarding the alienation or disposition of ecclesiastical property, since they were, to a large extent, anti-simoniacal measures.

From the documents of the Roman synod of 502, it is clearly apparent that King Odoacer framed a law (483), which prohibited papal alienation of ecclesiastical property or ornaments, declared any future alienation of this sort invalid, and pronounced anathema against the parties to any such transaction. The bishops of this synod, at which the decree was read by the deacon Hormisdas, vigorously protested against the usurpation of such power by a layman, with regard both to the legislation on ecclesiastical property and the imposition of anathema. Pope Symmachus (498-514), the president of the synod, disapproved the action of Odoacer, but looked with favor upon the measure itself. The synod approved his proposal to have the prohibition maintained in a different form for the Roman church alone, and extended its application to the priests and other members of that church. Even the usufruct of landed estates was to be transferred to none but clerics, captives or strangers. An exception to these rules was made for city houses, which necessitated considerable expense for their maintenance, also for gold, silver and some other movable goods. Loss of dignity was decreed against persons alienating the property and anathema pronounced

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against those acquiring it, or signing, as witnesses, the contract of such a transfer. Moreover, ecclesiastics were empowered to demand the restitution of the alienated property with its products.[6]

A fifth century document, which goes under the name of "Canonical Letter"[7] and appears only in Italian collections, forbids priests, deacons or other clerics to sell ecclesiastical estates or to donate them to relatives. Violation of this provision entails restitution of the property or ejection of the offender. Married clergymen are enjoined not to appropriate sacred vestments for the use of their wives and daughters,[8] as they had been accused of doing.

To the second half of the fifth century belongs the "Liber Ecclesiasticorum Dogmatum," attributed to Gennadius of Marseilles. It is a summary of Catholic doctrine and prescriptions. Among those to be debarred from ordination it mentions the one who is led by ambition to offer money for it in imitation of the example of Simon Magus.[9]

[6] Thiel, *Epp.* I, 686-92; Hefele, II, 643-45.

[7] *PL.* 56, 892.

[8] *PL.* 56, 893.

[9] *De Ecclesiasticis Dogmatibus*, c. 72 in *PL.* 58, 997; C. H. Turner. *The Liber Ecclesiasticorum Dogmatum attributed to Gennadius* in *Jour. Theol. Studies* (1905), VII, 78-99. In Turner's text the pertinent passage is found on p. 96, c. XXXVIII.

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In the year 494 Pope Gelasius addressed an important letter relative to simony to all the bishops of Lucania, Brutium and Sicily, which was probably also sent to other churches according to the general custom.[10] It stipulates that no compensation be asked from the faithful for the administration of baptism and confirmation, because such a request might deter some from receiving the sacraments, either on account of poverty or out of indignation. The violation of this prohibition carried with it the loss of the offender's position.[11] Every purchaser of a sacred dignity was likewise to be deposed, it being meet that such an impious transaction should not go unpunished. The condemnation of Simon related in Holy Writ, applies to both the purchaser and the seller.[12]

Owing to the division and strife attending the election of Pope Symmachus, 498, the latter, immediately after his accession, summoned a council which was held at Rome in 499. The holding of the synod, in spite of the winter season, was due, as the pope himself explained to the assembled members, to the necessity of laying down a firm rule for the creation of the Roman bishops, so that the contention and popular tumults which took

[10] Thiel, *Epp.* 31, no. 5.
[11] *Epp.* 14, c. 5, Thiel, 364.
[12] *Ibid.* c. 24, Thiel, 375.

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place at his own election, might not be repeated. The papal notary, Emilian, then read to the council the statutes, which we here substantially reproduce:

1. Owing to the disturbances that have occurred in the past and to prevent a recurrence thereof in the future, the holy synod decrees, that should any priest, deacon or cleric during the lifetime of the pope and without his foreknowledge, give for the future election a signature, promise a voting ticket, pledge himself under oath, promise a vote, or should any one of these same clerics attend private meetings for deliberating and taking decisions on this matter, he shall be deprived of his dignity and of communion.—The synod acclaimed this decision.

2. The same penalties shall be incurred by every one who shall be convicted of having sought the succession during the pope's lifetime, or of having made any attempts to secure it. When the pope asked whether the statute met with the approval of the whole synod, all the members answered in the affirmative.

3. Should the death of the pope occur so unexpectedly (which may God avert) as to prevent him from taking any measures for the election of a successor, the candidate unanimously elected by the clergy shall be consecrated; but if, as is usual, there be division and contention, the opinion

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of the majority shall triumph. The elector who, bound by promise, casts his vote with bias [13] shall be deprived of his ecclesiastical office. (Renewed approval by the synod.)

4. If anyone bring to the notice of the ecclesiastical authority the designs of those who violate these enactments and prove the guilt of the participants, he shall, if himself implicated, not only go unpunished, but be duly rewarded. The synod manifested by acclamation its approval of these decisions.[14]

The mention of measures taken by the pope regarding the succession, which occurs in this synod, can evidently not mean that he appointed his successor; he merely suggested the name of a person whom he thought fit for the papacy.[15]

In the month of October, 513, Cæsarius, bishop of Arles,[16] addressed a petition to Pope Symmachus (498-514), in which he requested him to put a stop to ambitious intrigues for the acquisition of the episcopal dignity. Acting on Caesarius's letter, the pope directed (November 6, 513) that ambition should not give access to the episcopate; for, although the inordinate acts which spring from

[13] "Non recto judicio."

[14] *MGH. Auct. Ant.* XII, 402-5. Thiel, *Epist.* I, 645 seqq.; Hefele, *Concilieng.* II, 626-7.

[15] See Mansi, VIII, 238, note g; and Baronius, Ad ann. 499, n. 8.

[16] Thiel, *Epp.* I, 727-28; *MGH. Epp.* III, 40.

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it are committed in the lay state, subsequent opprobrium falls to a certain extent on persons who are religious and serve God. Hence the episcopal candidate should not secure through money the intervention of influential parties in his behalf, nor should he obtain the suffrage of the clergy or of citizens by intimidating them or offering them rewards. No authoritative report regarding the result of an election shall be written in the absence of the official representative of the ecclesiastical authority ("visitor") who may testify to the unanimity of clergy and citizens. These instructions, the pope adds, are for all bishops; and by this expression he intended to include not only all the suffragan bishops of Cæsarius, but the universal episcopate.[17]

It was probably with a view to obtaining the papacy from the emperor Justinian that Pelagius I (556-61) promptly condemned the Three Chapters, which he had till then vigorously defended. This change combined with other reasons aroused such opposition to him in Italy that he could not find the three bishops required by the canons for the consecration. The ceremony was performed by only two,—those of Perugia and Ferentino,—while the ordinary consecrator, the bishop of Ostia, was represented by

[17] Thiel, *op. cit.* 726; *MGH.* Vol. cit. 37-39.

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the priest Andrew. Pelagius skillfully overcame the resistance to his nomination. A public procession was organized in which the commander of the imperial troops, Narses, with his general staff and the civil authorities, marched in great pomp by the pope's side from the church of St. Pancratius to the basilica of St. Peter. Here Pelagius ascended the ambo in the presence of a great concourse of people, and pronounced a solemn justification of his conduct while the Cross and the Book of the Gospels were held above his head. He then asked the audience to confirm the following enactment: "No ecclesiastical promotion from the office of door-keeper to that of bishop shall be due either to gold or (pecuniary) promises; for you all know that this is simony. But the candidate ought to be learned in the ways of God, of good character, and ought to attain the highest office not through his gifts, but his good life." [18] This prohibition, concurred in by the people, had only a local character, as is evident from the attendant circumstances; it applied only to Rome. To the honor of Pelagius it must be said that, in spite of his act of inconsistency which probably raised him to the pontifical throne, he faithfully observed his own prohibition of simony. We read in his epitaph that he performed many

[18] *Lib. Pont.* I, 303; see *PL.* 69, 399; Duchesne in *Rev. quest. hist.* (1884), XXXVI, 424-40.

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ordinations of sacred ministers (bishops, priests and deacons), but never derived any benefit from them.[19] The special mention of this practice of his implies that it was somewhat unusual not to accept payment for ordinations.

To these ecclesiastical regulations must be added the senatus-consultum of the year 530 and the important edict of King Athalaric issued in 533 in the form of a letter to Pope John II (533-35). The senatus-consultum was a repetition of the synodal decree of the year 499. It severely prohibited negotiations regarding the papal succession during the lifetime of a pope, as well as the giving and receiving of bribes in connection with the same matter.[20] As to King Athalaric's edict, the following abstract of it is given by T. Hodgkin,[21] an eminent authority on this period of Italian history:

"The Defensor of the Roman Church hath informed us in his tearful petition that lately, when a President was sought for the papal chair, so much were the usual largesses to the poor augmented by

[19] *Lib. Pont.* I, 304; Duchesne, *Rev. quest. hist. l. c.* 440.

"Sacravit multos divina lege ministros
Nil pretio faciens immaculata manus."

[20] *Lib. Pont.* I, 282, n. 4.

[21] *Letters of Cassiodorus*, 398-99. The original text of the document is found in Cassiod. *Variae*, IX, 15, *MGH. Auct. Antiq.* XII, 279-81. See also Baronius, Ad ann. 533, nos. 32-41.

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the promises which had been extorted from the candidate, that, shameful to say, even the sacred vessels were exposed to sale in order to provide the necessary money.

"Therefore let your Holiness know that by this present decree, which relates also to all the Patriarchs and Metropolitan Churches [the five Metropolitan Churches in Rome, and such sees as Milan, Aquileia, Ravenna], we confirm the wise law passed by the Senate in the time of the most holy Pope Boniface [predecessor of John II]. By it any contract or promise made by any person in order to obtain a bishopric is declared void.

"Anyone refusing to refund money so received is to be declared guilty of sacrilege, and restitution is to be enforced by the judge.

"Should a contention arise as to an election to the Apostolic See, and the matter be brought to our palace for decision, we direct that the maximum fee to be paid, on the completion of the necessary documents (?), shall be 3,000 solidi (£1,800); but this is only to be exacted from persons of sufficient ability to pay it.

"Patriarchs [Archbishops of the other great Italian Sees] under similar circumstances are to pay not more than 2,000 solidi (£1,200).

"No one is to give (on his consecration) more than 500 solidi (£300) to the poor.

"Anyone professing to obtain for money the suffrage of any one of our servants on behalf of a candidate for Papacy or Patriarchate, shall be forced to refund the money. If it cannot be recovered

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from him, it may be from his heirs. He himself shall be branded with infamy.

"Should the giver of the money have been bound by such oaths, that, without imperilling his soul, he cannot disclose the transaction, anyone else may inform, and on establishing the truth of his accusation, receive a third part of the money so corruptly paid, the rest to go to the churches themselves, for the repair of the fabric or for the daily ministry. Remember the fate of Simon Magus. We have ordered that this decree be made known to the Senate and people by the Praefect of the City."

The king's letter to the prefect of Rome, Salventius, "rehearses the motives of the previous edict, and directs that both it and the Senatus Consulta having reference to the same subject [and framed two years previously], be engraved on marble tablets, and fixed up in a conspicuous place, before the Atrium of St. Peter the Apostle." [22]

The promises of money to the poor made by the papal and episcopal candidates, although apparently harmless in themselves, led to serious abuses. As the people took part in the election to ecclesiastical offices, these promises of more or less considerable distributions of money became a means of gaining supporters and a cause of impoverish-

[22] Hodgkin, *op. cit.* 400; Cassiod. *Variae*, IX, 16.

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ment of churches. Rules governing such distributions had, therefore, to be issued, as was done in the above-quoted edict. The same royal document also stipulated the maximum amount that could be received by civil officials for their decision of contested elections. This was evidently not an attempt to suppress all pecuniary compensation, but rather a sanction of a definite sum. Speaking of this regulation, Hartmann writes: "It was the course which was then time and again followed in public life. Deep-rooted abuses were not abolished, but, as far as possible, regularized and reduced to a system." [23]

II. Opposition to Simony in France and Spain

The prohibitions issued by Pope Symmachus at the request of Caesarius of Arles have already been recorded. The example set by the pope was followed by the councils of the period. One of these assembled at Orléans in 533. It had been convoked, as we are told in the short preface to its canons, by the Merovingian kings to treat of the observance of Catholic legislation. It was the second to be held at Orléans; the kings, at whose bidding it met, were the three sons of Clovis:

[23] *Geschichte Italiens*, I, 239.

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Childebert I, king of Paris (511-58), Theodoric, king of Austrasia (511-34) and Clothaire, king of Soissons (511-61). The city of Orléans formed part of Childebert's dominions, but numerous bishops from the other two kingdoms attended the synod, which may thus be regarded as a national council. The canons relating to our subject are the third, fourth and fifth. The third runs as follows: "No bishop shall for any reason whatever accept anything for the ordination of bishops or other clerics; for it is sinful for a bishop to yield, through cupidity, to corruption."

The fourth canon reads: "Should any one, by his execrable ambition, have sought to procure the episcopacy through money, he shall be discarded as unworthy (reprobus); for, according to Apostolic pronouncement, God's gifts are not to be exchanged for money." To this the fifth canon adds that "a bishop, who goes to bury a colleague, is not to demand, apart from the necessary expenses, any remuneration for his services." [24]

A little more than two years later, on November 8, 535, a synod was held at Clermont with the approbation of King Theodebert I, of Austrasia (534-48). Its president was Bishop Honoratus of Bourges, who had already presided at the second council of Orléans just referred to. The synod

[24] Maassen, *Concilia*, I, 62; Mansi, VIII, 836; Hefele, II, 755 seqq.

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entered into some details regarding promotion to the episcopate:

"No one shall seek the sacred honor of the episcopate through promises, but through merit, nor owe this divine office to his possessions but to his sound morals. Nor shall any one be raised to the apex of the most eminent dignity through the favor of a few, but by the election of all. Extraordinary care shall be exercised in the selection of bishops; for, irreproachable should be the conduct of him who is placed over men needful of correction. Let each person carefully consider the price of the Lord's flock, so as to realize that its pastors should be created through merit. The candidate to the episcopate shall, therefore, obtain the dignity by the election of clerics and citizens, with the consent of the metropolitan of the province; he shall not have recourse to the protection of the powerful, nor by secret machinations win over some by reward and compel others through fear, to secure a decision in his own favor. Should any one be guilty in this respect, he shall be deprived of the communion of the Church, in which he wished to become an unworthy ruler." [25]

On October 28, 549, seven archbishops, forty-three bishops and twenty-one episcopal represen-

[25] Maassen, *Concilia*, can. 2, 66-67; Mansi, VIII, 860; Hefele, II, 761 seqq.

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tatives signed the decrees of the fifth synod of Orléans which had been convoked by King Childebert I, of Paris. The subject of episcopal elections had again been considered and the following enactment was promulgated: "No one shall obtain the episcopate through reward or purchase; but, *with the consent of the king* and after the election by the clergy and people, the candidate is, according to the ancient canons, to be consecrated by the metropolitan or his substitute in conjunction with the provincial bishops. Should any one violate this decree and purchase the dignity, he shall be deposed." [26] This canon is remarkable for the clear and practical way in which it sought to settle the vexed question of the nomination of bishops. The attempt to banish simony from such nominations was nothing new; nor is the evil more forcibly condemned here than in previous legislation. The point of special interest is the concession made to the civil authority in the selection of bishops. Things had come to such a pass that it was impossible to exclude the royal power from all influence over ecclesiastical affairs; on the other hand the king's custom of appointing bishops just like state officials could not be tolerated. The synod chose a prudent middle course; it granted the civil ruler the right of confirming or rejecting

[26] Maassen, *Concilia*, can. 10, 103-104; Mansi, IX, 131; Hefele, III, 1 seqq.

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the person chosen by clergy and people. The solution was the best obtainable at the time, and it afforded the bishops an opportunity of insisting on the necessity of popular election and of thus indirectly disapproving the royal tendency of appointing the bishops without the people. According to Mansi [27] and Hefele,[28] this canon was renewed by the second council of Clermont, which, they think, met in the same year, shortly after that of Orléans. But Maassen [29] has denied, with good reason, it would seem, the existence of this second council of Clermont; for 1. The decisions of the two synods are identical, and 2. The titles of their Acts in which mention is made of this alleged council of Clermont, tell us at the same time that the council was convoked by King Childebert in the city of Orléans. The name *council of Clermont* is consequently false and probably attributable to the error of some copyist.

The second council of Tours, held in 567, logically decreed punishment not only against the giver, but also against the recipient of money for spiritual things. Its twenty-eighth canon (according to another numbering, the twenty-seventh) runs as follows: "No bishop shall demand remuneration for the ordination of clerics; for such action

[27] IX, 642 seqq.
[28] *Concilia*, 100.
[29] *Cg.* III, 5-6.

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is not only sacrilegious, but heretical. As it is stated in the book 'De Dogmatibus Ecclesiasticis,' that cleric is not to be ordained, who following the example of Simon Magus, offers through ambition money to a bishop. It is said moreover: 'Freely have you received, freely give.' [30] And as he who harbors the thought of buying the gift of God and he who sells it are both alike, both will be excluded from the Church until the next synod. For the exclusion from office of the one liable to transgress is a prudent measure of safety to prevent evil." [31]

We have referred above to the earnestness of the Spanish bishops in proscribing the least semblance of simony from their church. Though a credit to their zeal, the radical measures adopted do not seem to have been effective. At the beginning of the sixth century, Bishop John of Tarragona,[32] addressed a petition to Pope Hormisdas (514-23) in which he requested him to issue reformatory decrees for all the churches of Spain. The petition itself has not come down to our times; but from the pope's answer we may gather with certainty that abuses of a simoniacal nature had crept into the church of Spain. The papal letter, which was written April 2, 517, reveals, moreover,

[30] Matth. x, 8.
[31] Maassen, *op. cit.* 135; Mansi, ix, 805; Hefele, iii, 27.
[32] See Gams, *Kg. von Span.* II, i, 436.

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the fact that Spain was suffering from the other evil which afflicted the Frankish church, viz., the elevation of laymen to the episcopate. With regard to simony, in particular, the pope censures the purchase of episcopal consecration. The reasons which he puts forward against such action are: 1. The punishment which the apostles inflicted upon Simon the Magician, who sought to buy the Holy Ghost; 2. The little reverence which we entertain for anything we can procure by purchase. In episcopal elections, which should be faithfully adhered to, he sees a means of preserving the honor of the episcopate. In an affair of such importance, popular judgment may be looked upon as the judgment of God; for where there is simple and unsophisticated agreement, there God is. The case in which a person is free from simony himself, but connives either voluntarily or through necessity at the receiving of some pecuniary remuneration by another, also claims the attention and solicitude of the Supreme Pontiff. A person who has acted in such a manner should not consider himself without guilt, for his coöperation is sinful. The violation of the commandments consists not only in committing personal sin, but also in consenting to the sin of another. The following means are recommended as remedies in the case: adhesion to the privileges attributed by the ancient Fathers to the metro-

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politans on the one hand, and conscientious observance of his own duties by the metropolitan on the other. The exclusion of venality from the temple, the pope concludes, will bring with it the disappearance of discord, and charity will reign supreme.[33]

Inferior in authority, though hardly less important in this matter, were the decisions of the third (properly speaking the second) synod of Braga. At this, the first and only national council of the Sueves, held in 572,[34] simony formed one of the principal subjects of discussion. The second canon, which forbids bishops on their pastoral visitation to exact more than two solidi from the several churches, does not necessarily relate to simony. The third canon is very explicit:

"Bishops shall not receive any presents for the ordination of clerics, but, as it is written, what they have received gratuitously from God, they shall give gratuitously. The grace of God and the imposition of hands shall not be sold at any price; for the ancient decrees of the Fathers have stated this respecting ecclesiastical ordinations, saying: Anathema to the giver and to the recipient. Hence, as some guilty of numerous crimes and ministering unworthily at the sacred altar, obtain this office not through the testimonials of a good conduct, but by

[33] Thiel, I, 788-93.
[34] Stutz, *Beneficialwesen*, I, 96.

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a profusion of presents, it must be recalled that clerical ordination should be due not to the influence of gifts, but should be conferred only after a diligent examination and the favorable testimony of numerous witnesses."

To these regulations, the council added prohibitions of practices that were either simoniacal or could easily lead to simony. Several had demanded "tremisses" for the small portion of the blessed chrism, which the bishops were wont to send to their churches; thenceforth nothing should be asked. The bishop shall not exact anything from the founder of a church who has asked him to consecrate it. If the latter makes a spontaneous offering, he may, however, accept it (can. v). Every bishop shall instruct his clergy that they may accept what is freely offered for the baptism of infants; but they shall use no violence to extort a gift from the poor. For many poor people, dreading such violence, postpone the baptism of their children. The deaths without baptism which occur during such delays, are necessarily chargeable to the rapacious authors of the course adopted by the parents (canon VII).[35]

[35] Mansi, IX, 838 seqq.; Hefele, III, 29-30; Gams, *Kg. von Span.* II, I, 462-64.

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CHAPTER VI

SIMONY AND ANTI-SIMONIACAL LEGISLATION IN THE EAST FROM 476 TO 590

Special character of simony in the East — The question of the succession to Timothy Solofacialus in the see of Alexandria — Theodosius the Cœnobiarch and the emperor Anastasius — John the Recluse and Anastasius — Paul, patriarch of Alexandria — Justin II said to have been guilty of simoniacal dealings — Justinian's legislation against simony — Qualifications of the episcopal candidate — Payment of admission fees prohibited — Oath required of episcopal electors — A passage of the Nomocanon of John Scholasticus — Anti-simoniacal legislation in Armenia and Syria.

From a very early period in its history the East had been agitated by doctrinal discussions. To such an excess were they indulged in that they soon became, as is well known, the bane of that section of the Christian world. One of the most injurious factors in this matter was the pressure which the civil authority repeatedly brought to bear upon its subjects to force certain tenets upon them. Force, bribery, threats and blandishments were resorted to in order to assure the triumph of this or that doctrinal cause. Liberal pecuniary donations or promises of substantial advantages were made to supplement the insufficiency of internal persuasion.

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On the death of Timothy Solofacialus, the orthodox patriarch of Alexandria, in 482, the Monophysite party gave him a successor in the person of Peter Mongus, who had already been deposed from the see of Alexandria by the emperor Zeno (474-91). As the same emperor and Acacius, the patriarch of Constantinople, now favored Peter, the intervention first of Pope Simplicius and then of Pope Felix III (II), followed. Felix, the very year of his accession (483) sent two legates to Constantinople, Misenus, bishop of Cumae and Vitalis, bishop of Truentum in Southern Italy. They were bearers of letters to Zeno and Acacius, in which emperor and patriarch were urged to abandon Peter Mongus and defend the doctrine of Chalcedon. Acacius was, moreover, cited to appear at Rome to answer certain charges brought against him. On their way to Constantinople the two papal legates were seized at Abydos, on the Hellespont, by order of the emperor, deprived of their papers and summoned, under threats, to hold communion with Peter Mongus and Acacius. But the violent proceedings did not effect any change in their dispositions. Measures from certain points of view more profitable to both parties were resorted to. The legates were offered money for a change of policy and showed themselves accessible to its persuasive influences; they yielded and believed

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and worshipped with Acacius and Peter Mongus.[1] The pope was kept informed of the doings of his legates at Constantinople by the Acoemetae and especially by their abbot Cyril. Misenus and Vitalis, on their return to Rome (484), were judged by a Roman council which deposed and excommunicated them, the penalty to last until Alexandria should again receive a Catholic bishop.[2] Vitalis died before the expiration of the penalty;[3] Misenus was pardoned by Pope Gelasius. The same Roman council also condemned Acacius. Letters informing the emperor, the clergy and monks of Constantinople of the sentence were entrusted by Pope Felix to Tutus, a defensor of the Roman church. Tutus, like his predecessors Misenus and Vitalis, yielded to bribery, and like them was excommunicated.[4] But the document condemnatory of Acacius, of which he was the bearer, reached its destination through the Acoemetae into whose possession it had fallen. They promulgated it by fastening it to the pontifical robe of Acacius when he was about

[1] *Lib. Pont.* I, 252; Felix III, *Epp.* Thiel I, 245; Theoph. *Chronog.* Ad ann. 480, *PG.* 108, 324; see also on these events, Jaffé, *Regest.* 599-604; Thiel, I, 243-59, 518; Evag. *Hist. Ecc.* III, 20, 21, *PG.* 86 bis, 2637-41; Liberatus, *Breviar.* cc. 17, 18, *PL.* 68, 1022 seqq.

[2] Thiel, I, 441. [3] *Ibid.* 446.

[4] Jaffé, *Reg.* 608; Thiel, I, 258; see Marin, *Moines de Constantinople*, 231 seq.

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to officiate in church. Though conscious of the proceeding, the patriarch continued the service without paying the least attention to the document, not even attempting to remove it; but during the course of the service he ordered the name of Felix III to be erased from the diptychs.

Theodosius the Cœnobiarch (d. c. 529), one of the principal organizers of monastic life in Palestine, was one of the great champions of the council of Chalcedon at the time of the emperor Anastasius I (491-518). The latter did all in his power to win him over to the cause of Monophysitism. Theodore, a biographer of the Cœnobiarch, relates that the emperor offered Theodosius 30 pounds of gold to induce him to support Monophysitism. The offer was tendered under the guise of a donation towards the benefit of the sick and the poor. The manner in which Theodosius met the attempt at bribery is highly commended by his biographer. He accepted the donation and thus deprived the emperor of his money. At the same time he made no change in his doctrinal views, but continued to uphold the definitions of Chalcedon.[5]

The accuracy of this narrative of Theodore is not universally admitted to-day. A sum of money about equal to the amount said to have been given

[5] Usener, *Der hl. Theodosios* (Leipzig, 1890), 55 seqq. *AA. SS.* Jan. I, 694.

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to Theodosius, was donated by the emperor Anastasius to Sabas, another representative of Palestinian monasticism. The gift was bestowed on Sabas while he was sojourning at Constantinople (winter, 511-512), about the same time that Theodosius is said to have been bribed. The donation, by no means in the nature of a bribe, was intended for all the monasteries of Palestine, and part of it was distributed among those of Theodosius. These circumstances have led Usener [6] to the conclusion that there is a confusion in Theodore's narrative, that only one donation was made, viz., to Sabas, and that the emperor never attempted to buy over Theodosius to his side. It must be admitted with Zeck [7] that the explanation is not devoid of all probability.

The name of the same emperor also figures in another incident, but in an entirely different manner. According to Theophanes,[8] John II, the Recluse or Niciota, Monophysite patriarch of Alexandria from 507 to 517, offered the emperor Anastasius 200 pounds of gold on condition that he would procure the complete abrogation of the decrees of Chalcedon. The offer was unseemly and, as is evident from what has been related above, unnecessary, for Anastasius was

[6] *Op. cit.* 156, 55, 1.
[7] *Kirchenlex.* s. v. Theodosius.
[8] *Chronog.* Ad ann. 502, *PG.* 108, 1, 357.

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already working for the destruction of the ecumenical enactments.

Paul, also a patriarch of Alexandria (c. 538-42), owed his elevation to that see to the emperor Justinian. As he seemed to have been implicated in the murder of the Alexandrian deacon Psoilus, the council of Gaza (c. 542) decreed his deposition.[9] He tried to obtain his restoration by offering a sum of money to his imperial master, and would probably have succeeded in his attempt, had not Pope Vigilius refused his consent to the reappointment.[10]

At the beginning of the sixth century, from about 510 to 518, Bishop Peter, a man of the stamp of Paul of Samosata, occupied the metropolitan see of Apamea in Syria Secunda. In this position he committed excesses of such a revolting nature that the clergy and monks under his jurisdiction drew up a list of accusations against him. The clergy insisted especially on the immoral conduct of the bishop; but they also accused him of performing venal ordinations and made special mention in this regard of the ordination of the perfumer Antiochus.[11] The first formal complaint was lodged with Count Eutychianus, governor of the province, and shortly after in

[9] On the council of Gaza, see Hefele, *Cg.* II, 785-86.
[10] Procop. Caesar. *Hist. Arcan.* c. 27.
[11] Mansi, VIII, 1106.

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518 the accusations were brought before the council of Constantinople. The charge of receiving payment for ordination was not especially considered at the synod; but a sentence of deposition was pronounced against Peter. A later attempt made by him to regain ecclesiastical influence and position was not successful: another council of Constantinople (536) confirmed his condemnation.[12]

While the personal piety and orthodoxy of the emperor Justin II (565-578) are generally commended by the writers of his time, his ecclesiastical policy is revealed to us in a very unfavorable light in the writings of Evagrius. This historian (whose statements ought to be accepted with the greatest reserve),[13] tells us that Justin, previous to his accession to the imperial throne, demanded money of Anastasius, patriarch of Antioch, probably for his elevation to the episcopal dignity. The patriarch's refusal to comply with the request produced such intense and prolonged resentment in Justin that it partly accounts for the later deposition of Anastasius (570).[14] During Justin's reign, according to the same writer, anything could be obtained from the emperor with

[12] Mansi, VIII, 1139-1142.

[13] See Groh, *Gesch. des oström. Kaisers Justin II* (Leipzig, 1889), 8-9.

[14] Evag. *Hist. Eccl.* Lib. v, c. 5, *PG.* 86 bis, 2801-2804.

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money. Things ecclesiastical were no exception. Bishoprics were publicly put up for sale and auctioned off to the first comer.[15]

These proceedings were directly contrary to the laws of Justin's immediate predecessor and imperial uncle, Justinian the Great. Justinian (527-65), who displayed a pronounced tendency to legislate in religious as well as in civil matters,[16] had issued stringent and extensive regulations in the interest of ecclesiastical integrity. In 528 he renewed the provisions of the council of Chalcedon and those of the synodical letter of Gennadius, decreeing deposition against any simoniacal church official, cleric or lay.[17] Among the episcopal qualifications enumerated in his "Novels" the absence of venality figures as an element.[18] Not content with this general statement, the lawgiver speaks more in detail on the matter. The candidate, he tells us,[19] should not buy his elevation with money nor receive it for any gift, but obtain it gratuitously. Should proof be brought forward that he bought the episcopate with money or other valuable objects, even though he possessed all the other

[15] Evag. *op. cit.* v, 1, *PG.* 86 bis, 2789.

[16] See Bury, *Hist. of the Later Roman Empire* (London and N. Y. 1889), II, 1 seqq.

[17] *Cod.* L. I. Tit. III, XLI.

[18] *Nov.* VI, c. 1, 5. [19] *Ibid.* 9.

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qualifications, both he and his consecrator shall lose their dignity. Thus, on the one hand, the hopes of the candidate will not be fulfilled, and, on the other, the recipient of the reward, if he be a bishop or other cleric, will also lose his dignity and forfeit the sum received in payment. The price will revert to the Church which suffered by the transaction. Should a layman have accepted money or any other object for his support in the election, divine punishment, it is true, will be meted out to him; but, in addition, he shall forfeit the remuneration he received and pay double the amount to the Church,[20] and if he be a government official, he shall lose his position and incur perpetual banishment. The one who, being a deacon or priest, obtains the episcopate through bribery, shall be deposed, not only as bishop, but also as deacon or priest respectively. These enactments are to be brought to the knowledge of the candidates in presence of the people.

An edict addressed by Justinian to Mennas, the patriarch of Constantinople (536-52),[21] reveals the clergy of the East in a rather unfavorable light. The emperor himself tells us why he issued the letter. The clerics of various churches, but not those of Constantinople, had frequently com-

[20] On this see also *Nov.* CXXIII, c. II, where the statement regarding restitution is more detailed.

[21] *Nov.* LVI.

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plained to him of the arbitrary admission fee levied on them by the clergy belonging to the diocese or parish, in which they sought to obtain positions. The practice seems to have been pretty general, as we may safely assume that not all those who were required to pay the tax complained, and yet the complaints received by Justinian were numerous. As a remedy, the emperor decreed that in every church except that of Constantinople, where the former practice might continue in existence, it should be prohibited for any cleric to accept a price of admission. If any one should violate this provision, he was to be deposed and the applicant for admission to be installed in his place. This regulation was to apply also to the church advocates of Constantinople, upon whom a fine of ten pounds would be imposed if negligence in this line could be proved against them.

The stipulations of the letter to Mennas did not extend to the bishops. These were allowed to give presents of enthronement. Justinian [22] determined that the sum that could be lawfully given should be proportionate to the revenues of the respective churches. Only the bishops of very poor churches were forbidden to give presents of this kind.

[22] *Nov.* CXXIII, c. III.

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In another passage of the same Novel [23] Justinian again treats of these two points: the episcopal election and the admission tax. He repeats what he had already decreed,[24] viz., that this legislation applied to the presidents of all charitable institutions (as the xenodochos, ptochotrophos, nosocomos) and to any ecclesiastical official whatsoever. The statutory penalties would also be incurred by persons acting as intermediaries in the transactions.

Proceeding still further and wishing to exclude all undue influence from the electors of the bishop, Justinian [25] ordained that the clergy and the principal men of the city (*τοὺς κληρικοὺς καὶ τοὺς πρώτους τῆς πόλεως*) in which the ordination was to take place, should meet and take an oath (which they would commit to writing), that, in casting their vote they had been prompted neither by gifts, promises, friendship, nor any other unworthy motive, but solely by their conscience and their obedience to the canons. The bishop-elect was to swear that he neither gave nor promised anything either through himself or an intermediary; and that he would not give anything for his elevation, either to the one who would ordain

[23] *Nov.* CXXIII, c. XVI.
[24] *Codex*, Lib. I, Tit. III, XLI.
[25] *Nov.* CXXXVII, c. II.

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him, those who cast their votes for him, or any other person.[26]

Justinian wished to exclude the very "appearance of gain and negotiation" from the Church and, for this reason, forbade, as ecclesiastical authorities frequently did, the passing of an ecclesiastic from one diocese to another.[27]

With what servility the clergy of the East accepted the enactments of the civil power, we gather from a passage in the Nomocanon (Tit. XVI) of John Scholasticus, patriarch of Constantinople (565-77). It is freely admitted therein that the reception of gifts for ordinations is simoniacal and against the law of Christ and the Apostles. But the acceptance of such rewards being permitted by an imperial constitution, the writer in the Nomocanon concludes that the law of Jesus Christ should be disregarded and that of the emperor observed.[28]

[26] A similar oath is taken at the present day in the United States by the consultors and the irremovable rectors, who have a right to propose three candidates for the vacant episcopal see of the diocese to which they belong. Before casting their votes, they swear that their choice was not due to hope of either favor or reward. (*Acta et Decreta Conc. Plen. Balt. III* (Baltimore, 1886), Tit. II, 15, p. 13; see O'Gorman, *The Cath. Church in the U. S.* (N. Y. 1902), 4th ed. 467.)

[27] *Nov.* III, c. II.

[28] Pitra, *Jur. Eccl. Graec. Hist.* II, 424. See Thomassin, *Vetus et Nova Discip.* VII, 455.

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A few words must also be said here concerning the enactments prohibitive of simony in Armenia and Syria. Previous to this period, the Armenian church had already spoken on the matter. Its most ancient canons, which go under the name of Gregory the Illuminator, called down on any priest or layman who receives a remuneration for sacred things, the curse of Simon Magus, the fate of the traitor Judas, and on his mind the leprosy of Giezi.[29] The patriarch, Isaac the Great (c. 390-439), denouncing the cupidity of the bishops, who, in their pursuit of presents, ordained ignorant and objectionable candidates and hosts of their relatives, decreed deposition against any bishop guilty of this offence.[30] The council of Chahapivan, held in 447, a few years after his death, pronounced excommunication against the giver and the recipient of any ordination fee, no matter what its nature.[31]

Of special significance in this connection are the canons of the second council of Dwin (Tuin or Dovin), held in 554, under the catholicos Nerses II (c. 548-557).[32] In them we have in the first

[29] Mai, *Script. Vet. Nova Collectio* (Rome, 1838), x, 270, can. 26.

[30] Mai, *Ibid.* 286. [31] Mai, *Ibid.* 295, can. 16.

[32] There is considerable difficulty in determining the number and chronology of the synods of Dovin. We have followed Ter-Minassiantz, *Die Armenische Kirche in ihren Beziehungen zu den Syrischen Kirchen* (Leipzig, 1904),

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place a prohibition directed against priests who deprive clerics of their share of the sacred offerings, thus forcing them to make gifts for Holy Mass.[33] They contain also a proscription of certain rather superfluous blessings, which seemed to reveal in those who pronounced them an inordinate desire of acquiring money.[34] In the seventeenth canon the sacrament of penance is for the first time explicitly and emphatically referred to in anti-simoniacal legislation. It reads: "Priests shall not dare to put up at auction the sacrament of penance; but they shall with all care and sound doctrine admonish the penitents, who are their neighbors, to provide for their eternal salvation. They shall not receive from them any reward in the nature of a public stipend; for freely have we received and freely we give." [35]

The factions which divided Western cities at episcopal elections were also in evidence among the Syriac-speaking Nestorians. Among them, as in the West, recourse was had to protection and patronage to obtain bishoprics for personages whose episcopal qualifications were not very evident. Identical evils were met by identical regu-

32, n. 1 and 42, n. 1. See Petit in *Diot. Théol. Cath.* I, 1927.

[33] Mai, *op. cit.* 272-73, can. 2.

[34] Mai, *ibid.* can. 26. [35] Mai, *ibid.* 275.

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lations. There is, therefore, but little difference in the anti-simoniacal legislation of Eastern Nestorians and of Western Catholics. Severe punishments were decreed in the Nestorian Church against all those who participated in coalitions and plots to raise, in an illegal manner, a person of their choice to the local episcopal see.[36] Recourse to the patronage of Christian laymen or influential pagans to obtain priestly ordination or a bishopric was prohibited under penalty of deposition for the person who secured the honor and of excommunication for the faithful who procured it for him.[37] The custom of obtaining a transfer from one church to another for lucrative motives, which seems to have been practised more shamelessly in the East than in the West, was also put under the ban.[38] Along with these measures of a preventive character, laws directly banishing simony existed. As an instance of these, we shall cite the twentieth canon of the council held at Seleucia-Ctesiphon in 576:

[36] Chabot, *Synodicon Orientale*, 357, canon IV of the synod held in the year 554 under the catholicos Joseph at Seleucia-Ctesiphon; *ibid.* 386, canon XXXIII of the synod of 576.

[37] Chabot, *op. cit.* 355-56, canon I; 357, can. III; 386, can. XXXIV.

[38] Chabot, *ibid.* 357-58, can. V; 359, can. VIII; 383, can. XXIV.

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"As the sublime gift of the priesthood, through which celestial goods are communicated to men and by which is accomplished and completed the Providence of the Creator towards the creature, has been given to the Church by the Holy Spirit: it is forbidden by the word of Christ, for metropolitans and bishops, to confer it (the priesthood) for presents or to sell it for a price; for it is sublime and greater than the world and all it contains. And such as believe they give it in this manner purchase for themselves hell and the torments awaiting the impious in the world to come; and their intercourse and sojourn will be with Simon, who thought that the gift of God may be acquired with the goods of this world. And if a metropolitan or a bishop become guilty of these offences: the one who thought he was giving the priesthood and he who thought he was receiving it, shall be completely deprived of their orders and of all ecclesiastical ministry." [39]

[39] Chabot, *ibid.* 382. See also for enactments of a later date to which reference is more convenient here, *ibid.* 483-84, can. III; 485, can. VII, and 622.

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CHAPTER VII

GREGORY THE GREAT AND SIMONY IN THE WEST (590-604)

I. ITALY:—State of Italy at Gregory's accession — Testimony of Agnellus relative to the prevalence of simony — Gregory and the archiepiscopal see of Milan — Gregory and Januarius — The former's instructions to Castorius — Council of Rome (595); its decree against simony. II. FRANCE:—Political division of France at Gregory's accession — Ecclesiastical conditions — Statements regarding the existence of simony — Gregory's letter to Bishop Vergilius of Arles — Other letters of his — He writes to Queen Brunehilde — His letter of 599 to the bishops of Gaul — Convocation of a council urged — Another letter to the queen — Fruitlessness of the pope's efforts — New campaign against the evil — Letters to bishops and kings — Council to be held — Gregory's efforts are again fruitless — Simony in Spain.

I. GREGORY AND ITALY

THE state of confusion, distress and desolation, which was prevalent both in the East and in the West when Gregory the Great ascended the pontifical throne, was naturally favorable to the existence and spread of simony. Sadder than that of many other lands was the condition of Italy. In a comparatively very short time she had been overrun by several Barbarian nations. "First came the Goth, then the Hun, and then the Lom-

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bard. The Goth took possession, but he was of noble nature and soon lost his barbarism. The Hun came next, he was irreclaimable, but did not stay. The Lombard kept both his savageness and his ground; he appropriated to himself the territory, not the civilization of Italy, fierce as the Hun and powerful as the Goth, the most tremendous scourge of Heaven."[1] When Gregory became pope Northern Italy was mostly in possession of the Lombards, while Istria, Venetia, Genoa, Ravenna and the Pentapolis, and considerable part of the South of the peninsula, as well as the islands of Sicily, Sardinia and Corsica were under the at least nominal dominion of the Eastern emperor.[2] Rome never fell into the hands of the Lombards, and when the people chose Gregory as pope, their choice had to be ratified by the government of Constantinople. It was the custom of the newly-elected pope's predecessors to ask for the confirmation of their election. Gregory, too, applied to the emperor, but it was to beseech him not to sanction the selection made

[1] Newman, *Hist. Sketches*, III, 110 (London, 1894). On the condition of the world at Gregory's accession, see Mann, *Lives of the Popes in the Early Middle Ages*, I, I, 5-15; Dudden, *Gregory the Great* (London, 1905), I, 357 seqq.

[2] For the sake of convenience, we treat here of the parts of Italy subject to the Eastern emperors, instead of speaking of imperial and non-imperial Italy in two different places.

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by the Romans.[3] It was an extreme but fruitless attempt to escape from the dreaded responsibility of the supreme pontificate. Gregory was constrained to accept the honor and burden for the glory of the Church and the benefit of humanity.

Among his many titles to fame, he also enjoys the distinction of being the most energetic opponent of simony of the first six Christian centuries. The necessity of such a champion of integrity in the sanctuary at the very moment when Gregory appeared as the supreme ruler of the Christian world, is forcibly demonstrated by a passage found in Agnellus, the eighth-century historian of the church of Ravenna. Speaking of Marinian, a Roman who became bishop of Ravenna in 595, he writes:

"Marinian was not like others who prey upon (*devorant*) the possessions of the Church in order to secure the episcopal dignity, who take the revenues of their fellow-men and become debtors, and who, if competition arises between two persons, buy this exalted dignity at the price for which one may sell it. They send about agents to ascertain how much money an opponent is willing to spend. If the answer is, say 500 solidi, the rival candidate laughs at the paltry sum. 'I,' he says, 'will give 1,000. Pray, tell the bishop who is to ordain me: It is

[3] Greg. of Tours, *Hist. Franc.* x, 1, *MGH. SS. Rer. Mer.* I, 407.

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better for him to accept my thousand solidi than those few.' The wretches do not realize that they are adherents of the *simoniacal heresy*.[4] And how is it possible that they do not realize it in face of the Pontiff's protest and prohibition:[5] 'Avoid becoming tainted with simony either through gift or promise.' Are they not conscious of their double sin? They give and receive money secretly, and in public they deny doing it. Do you not remember, you wretches, that what you deny before men, will be made plain before the eyes of God, before the Angels and Archangels, before the Principalities and Powers, before the Thrones and Dominations, before the heavenly armies and forces (*virtutibus*); there everything hidden and secret will be made public. You aspire to the highest dignity? Consider the labors of the struggle. What does it profit you to be clothed with rich garments, if the soul is caught in the snares of Satan? Does it appear insignificant to you to hold ecclesiastical government? If you would only stop to consider, the bishop is more than a king."[6]

Marinian ruled as archbishop from 595 to about 606, and Agnellus, in this passage, evidently speaks at least of these eleven years. The tone

[4] "Simoniacas hereses sectantur."

[5] It is not clear who is meant; perhaps it is Gregory the Great.

[6] Agnell. *Lib. Pont. Eccl. Rav.* 100, in *MGH. SS. Rer. Long. et Ital.* ed. Holder-Egger (Hanover, 1878), 343-44.

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of his language plainly indicates, however, that his intention is not to speak exclusively of the time of Marinian's episcopal rule, but that he refers to the events of a period, brief perhaps, but which we certainly do not lengthen excessively when we make it begin with the reign of Gregory the Great in 590.

The archiepiscopal see of Milan, the occupants of which had been forced in 569, by the invasion of the Lombards, to take up their residence in Genoa, became vacant twice during Gregory's reign. Archbishop Laurentius died in 592, and the pontiff in his directions to the clergy of Milan for the election of a successor wished them not to seek their own gain and private interests; for cupidity would prevent them from arriving at an unbiased decision.[7] The deacon Constantius was chosen for the office, but died in the year 600 at Genoa. The king of the Lombards, Agilulf, now attempted to obtain the nomination of his own candidate; but Gregory energetically declared to the clergy of the diocese his intention of never accepting a person chosen for the position by the Lombards.[8] It was a prudent move not to make any concessions in this respect to the royal power.

A source of worry for the supreme Head of the Church and an object of frequent fruitless

[7] *Epp.* III, 29. [8] *Epp.* XI, 6.

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admonition was Januarius, bishop of Cagliari, the metropolitan see of Sardinia (c. 591-604). A most unflattering portrait of this irresponsible old man is given by Dudden in his "History of Gregory the Great."[9] The condition of the Church in Sardinia was deplorable and, while it would be unjust to lay all the existing disorder at the door of Januarius, it must be said that he was responsible to a great extent. Among the complaints that poured into Rome from all sides was the accusation that in the diocese of Cagliari a fee was accepted for ecclesiastical functions. In a letter which he wrote to the bishop in May, 594, Gregory prohibited the acceptance of a remuneration for ordinations, the marriage of (inferior) clerics, or the veiling of virgins. A spontaneous offering, however, could be received.[10] At a slightly later date, Januarius tried to collect three solidi from Nereida, a noble lady, for the burying-place of her daughter. He received another communication from the pope (598) in which his action was censured:

"It is very reprehensible and unbecoming the episcopal office to seek payment for earth granted to rottenness and to wish to profit by another's grief. . . . Wherefore I admonish you never to presume to

[9] I, 366-70.

[10] *Regist. Epp.* IV, 24, *MGH. Epp.* I, 259, ed. Ewald (Berlin, 1887); Jaffé, *Reg.* 1296.

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repeat such a manifestation of avarice, not even in the case of a stranger. Should you at any time grant permission to any person to be buried in your church, we do not forbid you to accept the free contribution which the parents, relatives, or heirs of the deceased may desire to make for the lights; but we do absolutely forbid you to demand or exact payment, lest the Church (and this is most contrary to religion) be *called venal* (which God forbid), and you, by endeavoring to profit by men's bodies, seem to rejoice in their death." [11]

The previous year (597) Gregory had already written to the same effect to Donus, bishop of Messina.[12] In both instances he reminded his correspondents of the fact that the objectionable practice was an old custom at Rome when he ascended the pontifical throne, but that he suppressed it entirely in his church.[13]

How anxious the pope was to exclude all private interest and venality from episcopal elections, appears from a letter addressed February 10, 595, to Castorius, his representative at Ravenna. He wrote:

"The news of the death of our brother and fellow-bishop John has greatly grieved us, chiefly because the

[11] *Epp.* VIII, 35; Jaffé, *Reg.* 1524.
[12] *Epp.* VIII, 3; Jaffé, *Reg.* 1490.
[13] The reader may see on these events Dudden, *Greg. the Great*, I, 400-01.

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city (Ravenna) has been deprived at this time of the consolation of pastoral care. As many reasons demand the immediate creation, with Christ's indispensable coöperation, of a bishop for this church, we command your Experience, to impress upon the clergy and people the necessity of electing a bishop without delay. We wish you to urge them, before all else, to set aside private interests in a public concern like this. Hence, let there be no venality in this election, lest the electors, while they run after rewards, lose their sense of discrimination, and judge worthy of this office the one who has pleased them by his munificence rather than by his merits. Bring especially to the knowledge of the electors, and make them realize, the fact that whosoever presumes to purchase for a price the gift of God, is not only unworthy of the episcopate, but will also certainly be found addicted to other vices. Let, therefore, merit and not the profuseness of rewards decide in favor of the candidate. For both the elected and the electors are liable to punishment if they attempt, by their sacrilegious proceedings, to violate the true episcopal character." [14]

On July 5 of the same year, 595, Gregory held in the basilica of St. Peter at Rome a synod attended by twenty-three bishops and numerous priests and deacons. The bishops represented, with the exception of the one of Ravenna, only

[14] *Epp.* v, 24; Jaffé, 1335.

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the suburbicarian dioceses. On motion of Gregory, six decrees were approved by the assembled Fathers. Wisbaum [15] sees in these six enactments a collection of canons issued by Roman synods at the beginning of Gregory's reign. How he arrived at this conclusion, he does not say. He probably based it partly on John the Deacon's assertion,[16] that the decree of the year 595 respecting simony, was a new promulgation of a law which had already been published at a council in the initial period of Gregory's pontificate. This decree which is said to have been merely repeated at the council of 595, reads as follows:

"In pursuance of the ancient rule of the Fathers, I decree that no fee shall ever be received for ordinations, or the conferring of the pallium, or the writing-out of the charters relating thereto, or for what is called through a new subterfuge invented by ambition, the impression of the seal (*pastellum*). The pontiff lays his hands upon the bishop who is to be consecrated, the minister reads the gospel, and the notary writes out the letter of confirmation. It is just as wrong for the minister or notary to sell respectively his voice or pen for the consecration, as it is for the pontiff to sell the laying on of his hand. Wherefore I absolutely forbid the person who is to be ordained or has been ordained to pay any

[15] *Die wichtigsten Richtungen u. Ziele der Tätigkeit Gregors des Grossen* (Cologne, s. d.), 52, Thesis, III.

[16] *Vita Greg.* Lib. III, c. 5.

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fee for ordination, the pallium, the charters or the seal (*pastellum*). If any one should presume to demand or exact any compensation for the things just-mentioned, his guilt will appear in the severe judgment of God Almighty. If, after the reception of the charters or the pallium, the ordained party wishes to make a donation to any one of the clergy, not indeed in compliance with an agreement or in satisfaction of a demand or an exaction, but merely as a gracious favor, we do not in any way forbid the acceptance of his reward. For his gift is not defiled by sin, as it is not extorted by the improper solicitations of the recipient." [17]

We have preferred to render the word "pastellum," which occurs twice in the canon, by the English term "seal." This interpretation, instead of "small repast, gratuity," which is the one Hefele [18] adopts, yields a more obvious meaning, especially in the second sentence where the word is used.

A letter which Gregory wrote in March, 596, to Candidus, bishop of Orvieto, is one of the instances where he speaks expressly of the great care to be exercised in the admission to priestly ordination.[19]

[17] *Epp.* v, 57a, can. v; *Epp.* v, 62; Johan. Diac. *Vita Greg.* II, 5; III, 5.

[18] Hefele, *Concgesch.* III, 58. See Du Cange, s. vv. Pastus, Pastellus, Pastillaticum.

[19] *Epp.* VI, 27; Jaffé, 1407.

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II. Gregory the Great and France

At the time of Gregory's accession, as well as in the days of its conquest by the Romans, Gaul was divided into three parts. They were the three kingdoms of Austrasia, Neustria and Burgundy. Guntram who had been king of Burgundy since 561, was to reign only three years longer. At his death, his dominions passed under the control of Childebert II, king of Austrasia from 575 A. D. After a reign of only 3 years in Burgundy, Childebert followed his predecessor, Guntram, to the grave (596). The succession now fell to two children, Theodebert II in Austrasia (596-612) and Theodoric II in Burgundy (596-613). Queen Brunehilde assumed the regency for her two grandsons, but had to defend her position against that all-powerful woman of Neustria, Fredegundis, until the latter's death in 597. In the kingdom of Neustria, no personal change of ruler took place during Gregory's pontificate. Clothaire II, who occupied the throne, not only outlived that time, but was king of all the Franks from 613 to 628. This brief mention of the rulers of the different kingdoms is required because Gregory the Great, in his work of ecclesiastical reform, tried to enlist the coöperation not only of the local bishops, but also of the civil power. That this reform was necessary may

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be seen from the foregoing pages. The idea therein expressed will be briefly recalled by the following extract from F. H. Dudden.[20] Speaking of France he says: "The Church was degenerate and full of abuses. The clergy were mostly of servile origin (for it was forbidden to ordain a freeman without the king's permission) [21] and they had the peculiar vices of slaves—greed, sensuality, undue subserviency to the temporal rulers. All intellectual movement was at a standstill. Simony was rife, bishoprics were given away by court favor, and laymen were ordained to wealthy sees. The bishops had become landed lords and courtiers. They meddled in politics, and are found mixed up in all manner of discreditable intrigues, and even bloodshed. They oppressed their parochial clergy, who, in return, resisted their authority to the utmost and formed conspiracies against them. Owing principally to the jealousies and dissensions of the rival kingdoms, the power of the metropolitans had declined. Hence the bishops had, to a great extent, emancipated themselves from all control, and rarely met in synod. In the sixth century, only fifty-four councils were held in Gaul; in the seventh, only twenty. The bishops allied themselves closely with the kings, of whom they became the counsellors and advisers, and whom, in return for cer-

[20] *Gregory the Great*, II, 53-54.
[21] Council of Orléans, 511, c. 4.

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tain concessions, they permitted to encroach upon the privileges of the Church. Thus in all that concerned its relation to the State, the Church had lost independence."

The author of the *Life of St. Eligius* tells us, that "it was principally from the times of the most unfortunate Queen Brunehilde to the period of King Dagobert that this vice (simony) so opposed to the Catholic faith was indulged in."[22] Columbanus, in a letter addressed to Gregory the Great between the years 595 and 600, speaks of the large number of simoniacal persons in Gaul. At the same time, he asks the pontiff for information as to whether or not he should remain in communion with simoniacal bishops.[23] It certainly was a rather alarming symptom of the absence of religious spirit, which manifested itself in Paris at the death of Ragnimodus, the bishop of the city, about 592. His successor was neither an ecclesiastic nor a Frank, but a Syrian merchant, whose sole recommendation was his lavish distribution of presents.[24]

With remarkable energy and tact, Gregory undertook the reform of such crying abuses. On August 12, 595, he named Bishop Vergilius of

[22] *Vita Eligii.* Lib. II, c. 1.

[23] *MGH. Epp. Mer. et Kar. Aevi,* Tom. I, 158-59, ed. Gundlach.

[24] Greg. of Tours, *Hist. Franc.* X, 26.

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Arles his vicar in the dominions of Childebert II (Austrasia, Burgundy, and Aquitaine), granted him the use of the pallium, and wrote to him as follows:

"I have been informed that in parts of Gaul and Germany [25] no one is raised to sacred orders without the bestowal of gifts. If this be the case, I say with grief, nay with tears in my eyes, that after the interior decay of the priestly order has taken place, its exterior ruin cannot be delayed much longer. We know from the Gospel how Our Lord himself acted: He went into the temple and overthrew the chairs of them that sold doves. To sell doves is to derive temporal advantage from the Holy Spirit, consubstantial to the divinity, whom God Almighty confers upon men by the imposition of hands. As I have already stated, the results of the simoniacal evil are apparent: for the chairs of them that presumed to sell doves in the temple of God, were overthrown by the divine judgment. This corruption is transmitted in increasing proportion to the inferiors. For he who is raised to sacred honors for a temporal gift, is, as it were, corrupted at the very root through such preferment, and is quite ready to sell to others what he himself has bought. Where is then, the observance of the Scriptural saying: 'Freely have you received, freely give'? As the simoniacal heresy

[25] The realm of Childebert II included an important part of Southwestern Germany and Bavaria. There is no question here of the other sections of Germany.

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was the first one to arise against the Church, is it so hard to see, is it so difficult to realize that he who ordains a person for a fee, by thus promoting him, transforms him into a heretic"?[26]

Another abuse, which the earnest pontiff inveighs against in this same letter, is the nomination of laymen to bishoprics, an evil which, at least partly, was a consequence of simony. On the same day (Aug. 12, 595), he also wrote to all the bishops of the kingdom of Childebert, advised them of the nomination of Vergilius as his representative, and mentioned, in particular, his instructions to the latter respecting the extirpation of the simoniacal evil.[27] He prescribed that the letter to the bishop of Arles should be read publicly in their presence. These two communications were forwarded a few days later to Gaul, together with a third letter to Childebert, written on the 15th of August. Gregory requested the king to put an end to simony in his dominions for the honor of the Church, the welfare of his soul, and on account of the unworthiness of a candidate who obtains through money a dignity due only to merit.[28]

When, after Childebert's death, the adminis-

[26] *Reg. Epp.* v, 58; Jaffé, 1374.—*Lib. Diurnus*, form, 46, ed. Rozière.

[27] *Reg. Epp.* v, 59; Jaffé, 1375.

[28] *Reg. Epp.* v, 60; Jaffé, 1376. See *Lib. Diurn.* form. 49.

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tration of his kingdom had passed into the hands of his mother, Queen Brunehilde, Gregory tried to interest her in the work of reform. In September, 597, he urged upon her the necessity of excluding the influence of temporal interests from the nomination to ecclesiastical offices. Not only the payment of money, but the protection of powerful and distinguished relations ought to be left out of consideration in naming to sacred dignities. To the reasons he had already adduced against the sale of ecclesiastical preferment, Gregory adds a traditional and a political one. He reminds the queen of the condemnation of the sin by the Fathers of the Church and calls her attention to the source of weakness, which such practices become for her kingdom.[29]

In July, 599, Gregory returned to the task. A somewhat lengthy circular was addressed to the bishops, Syagrius of Autun, Etherius of Lyons, Vergilius of Arles and Desiderius of Vienne, who were either at the head of metropolitan districts or wielded considerable influence at court. After expressing his grief at the practice of simony in Gaul, he continues:

"He who endeavors to purchase the episcopal office with money, neglecting the office for the appearance, desires, in his folly to be a bishop not in reality,

[29] *Reg. Epp.* VIII, 4; Jaffé, *Reg.* 1491.

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but in name only. If such dealings are permitted, what will be the result other than that there will be no investigation into the candidate's conduct, no concern felt about his moral character, no examination made of his past life. Only he who is able to pay for the dignity will be considered worthy of it. But if the matter be weighed in the true balance, the one who presses forward to seize upon a post of usefulness for the iniquitous satisfaction of his vain glory, is the less worthy of the honor from the fact that he seeks it. As he, who declines when requested and flees when sought out, should not be admitted to the service of the altar, so the one who uses improper solicitations and importunities for his own advancement, ought undoubtedly to be rejected. For does not the candidate for such an office lower himself in thus seeking to rise, and sink deeply interiorly, while exteriorly he is raised to a higher place? Integrity, then, dear fellow-bishops, ought to prevail in episcopal consecration; venality and all undue influence should be excluded from the election, so that the promotion of the bishop-elect may be attributed to the judgment of God and not to the suffrage of bought electors."

The pope again compares simoniacal persons to the vendors in the temple. Some of the former had excused their culpable conduct on the plea that the proceeds of the transactions were expended on deserving objects—the poor, the construction of hospitals and monasteries. Accordingly he continues:

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"Very frequently the enemy of souls, seeing that he cannot triumph in what is plainly wrong, cleverly endeavors to insinuate himself under the guise of piety and pleads that perhaps something ought to be accepted from persons of means to be distributed among their poverty-stricken fellow-beings. His purpose is to infuse, in this fashion, the deadly poison (of simony) under the veil of almsdeeds. For the hunter would not decoy the wild animal, nor the fowler the bird, nor again the fisherman the fish, if the two former laid their snares in the open, or if the last-mentioned did not conceal the hook under the bait. The astuteness of the enemy must be feared and diligently guarded against, lest the Evil One succeed in inflicting a more severe wound with a hidden arrow on those who are proof against open temptation. The distribution to the poor of unlawfully acquired goods cannot be considered an almsdeed; for the unjust acceptance of property with the intention of expending it in good works is more injurious than beneficial to the recipient. Only that charity is acceptable in the eyes of Our Redeemer, which distributes, not the produce of injustice and iniquity, but righteously acquired and lawfully owned property. It is certain that if the money goes to the foundation of monasteries, hospitals or similar institutions, this is of no profit to the donor. The perverse purchaser, who succeeds to an ecclesiastical office and appoints others like himself to sacred positions for the payment of money, works more harm by these worthless ordinations than can be repaired by the one who received the ordination

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money from him. To prevent us from striving after damnable acquisitions under the pretext of almsdeeds, the Sacred Scriptures have issued the following clear prohibition: 'The sacrifices of the wicked are abominable; because they are offered of wickedness' (Prov. XXI, 27). For whenever the oblation offered up to God in sacrifice is the produce of a crime, it does not placate, but increases the wrath of the Almighty. Hence it is written also: 'Honor the Lord with the honest fruit of thy labor' (Prov. III, 9). Unjust reception for charitable distribution is then undoubtedly not to the honor of God. Wherefore Solomon also says: 'He that offereth sacrifice of the goods of the poor, is as one that sacrificeth the son in the presence of his father' (Ecclesiasticus, XXXIV, 24). Let us reflect how deep is the grief of that father whose son is sacrificed before his eyes, and we will easily understand the intensity of God's wrath at the sight of a sacrifice offered to Him of rapine. The commission of the sin of 'simoniacal heresy' under the pretext of charity must, therefore, dearest brother-bishops, be absolutely avoided. It is one thing to give alms because of our sins and another to commit sin in order to give alms." [30]

Along with simony, other abuses were mentioned in the circular, chiefly the promotion of laymen to the episcopate. A synod was to be

[30] *Epp.* IX, 218; Jaffé, *Reg.* 1747.

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convoked at which a solemn condemnation of these evils would be issued. The deliberations were to be held under the supervision of the papal legate Cyriacus with Aregius, bishop of Gap, and a report of the proceedings was to be forwarded to Rome by the same Aregius and by Syagrius, bishop of Autun.[31] The former's qualities had become known to the pope while he was on a visit to Rome; the latter exercised considerable influence at the royal court and could be of great service in bringing about the convocation of a council.[32] The sympathy of the civil rulers and their coöperation in the work which Gregory was trying to carry out, was an important, an almost indispensable element of success. The councils were convoked by the kings, or assembled only with their approval and assistance. Amid the insecure and barbarous conditions of the period, the kings alone were powerful enough to determine effectively a place of meeting, and to make it accessible to the prelates of the most distant sees.[33] Gregory applied directly to the royal authority for support in his efforts. He entered a strong plea with Queen Brunehilde in favor of

[31] *Epp.* IX, 218 and IX, 219.

[32] *Epp.* IX, 222; Jaffé, 1751; also *Epp.* IX, 213 and IX, 215. See also *AA. SS.* May I Vita Arigii, 110-111.

[33] See on this Vaes, *La Papauté et l'Eglise Franque* in *Rev. d'hist. eccl.* (1905), VI, 770 and 771.

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the suppression of abuses in the church of Gaul. Simony, he contended, not only meant the ruin of ecclesiastical dignity and discipline, it was also a danger to the state.[34] He likewise addressed a letter on the same topic to her two grandsons, Theodoric and Theodebert. To them also he spoke of the injurious consequences which the toleration of simony would have for their dominions.[35]

Gregory was justified in expecting some appreciable results from these strenuous exertions. His expectations, however, were disappointed. His legate Cyriacus died shortly after his arrival in Gaul. Syagrius was also carried off by an untimely death. Other bishops were not overanxious to censure their own actions or practices. The death of Fredegundis (597) had not brought about a lasting peace among the Merovingian princes. Strife between the different kingdoms and within the same kingdom was not likely to direct the attention of temporal princes to religious affairs. The fear of losing the exercise of certain privileges and of strengthening the power of the bishops by uniting them, were other probable causes which prevented action by the royal power.[36] It is certain that little effort was

[34] *Epp.* IX, 213; Jaffé, 1743.
[35] *Epp.* IX, 215; Jaffé, 1744.
[36] See Vaes, *l. c.* 772, 773.

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made to suppress the corruption against which Gregory had undertaken such a vigorous campaign.

But Gregory was not the man to let matters rest there. In 601 he inaugurated a new crusade against corruption in the Frankish church. He again appealed for support to both the temporal and the ecclesiastical authorities. The necessity of holding a council for the condemnation of simony was again urged upon them, and at the same time the missionaries, whom the pontiff sent to Augustine in England, were recommended to their kindness. Vergilius of Arles was congratulated upon his personal freedom from simony, but his failure to repress it in others did not deserve commendation.[37] Etherius of Lyons did not exhibit more zeal in suppressing the evil and was requested to suit his actions to his words. The influence of money, blandishments and favor ought alike to be excluded from ordinations. The old evil,[38] simony must be eradicated.[39] Aregius of Gap deserved recognition for the work he had accomplished. The pope well recalls the zeal he displayed against simony in 599, and cherishes the hope that he will continue his efforts in the right direction.

Though unable to eulogize the Frankish kings

[37] *Epp.* XI, 38; Jaffé, 1828.
[38] "Malum vetustatis."
[39] *Epp.* XI, 40; Jaffé, 1830.

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for ecclesiastical reforms which they had never undertaken, Gregory dwelt with pleasure and true diplomatic skill upon the favorable dispositions which they had manifested in 599. He again addressed letters to King Theodoric,[40] his brother Theodebert,[41] and Queen Brunehilde,[42] and pleaded earnestly for the suppression of that "heresy," which was the first to make its appearance in the Church. As he had done two years previously, so Gregory now intended to send a legate to Gaul to superintend the work of reform and take vigorous action against certain far from exemplary bishops. A royal request to the pope to name such a representative would evidently secure more influence and power to the latter as he would then appear to be vested, in a way, with both royal and ecclesiastical authority. The kings would be bound to second his efforts, and the bishops could hardly refuse to yield to his dictates and influence. Hence Gregory suggested to Queen Brunehilde to forward a written petition to him for a legate.[43] He also wrote to Clothaire II, king of Neustria, to whom he had not appealed in 599. He desired that Clothaire, like his fellow-rulers, should see that a council be held

[40] *Epp.* XI, 47; Jaffé, 1838.
[41] *Epp.* XI, 50; Jaffé, 1847.
[42] *Epp.* XI, 49; Jaffé, 1840.
[43] *Epp.* XI, 46; Jaffé, 1837.

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for the extirpation of simony, which the Apostles had already condemned.[44] The temporal rulers to whom Gregory had addressed letters thus represented the three kingdoms of Austrasia, Burgundy and Neustria. It does not appear from the pontiff's instructions, whether a general council representative of these three kingdoms was to be convoked, or whether three separate synods were to be convened. It is probable enough that the pope considered this point secondary and would have been satisfied with either procedure. In all probability he purposely left the decision of the question to the judgment of the interested parties. Being on the spot, they were in a better position to have an accurate knowledge of the circumstances and of the possibility of coöperation between the ruling princes. It was perhaps in response to Gregory's energetic demands that the council of Châlon-sur-Saône met in 602. We are nowhere informed, however, that it made an attempt to remedy the abuses of which Gregory had so frequently complained.[45] We have still less information respecting the council of Sens held between 594-614.[46] As to that of Auxerre,

[44] *Epp.* XI, 51; Jaffé, 1842. On Gregory and simony in Gaul and other countries, see also Joh. Diac. *Vita Greg.* III, 1 seqq., where John the Deacon speaks at some length of the pope's activity in this line.

[45] Maassen, *Concilia*, 178. [46] Maassen, *Concilia*, 184.

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held approximately between 573 and 603, it very probably belongs to an earlier date than 601-603 and did not issue any condemnation of simony.[47] It must be acknowledged that Gregory's prudent, judicious, and persevering exertions to effect an amelioration in ecclesiastical conditions in France ended in failure, as far as immediate results are concerned. That he never gave up the struggle is proved by the fact that in November, 602, he issued three charters, which reveal his anxiety to exclude simony from the election of abbots and abbesses.[48] But prohibitions alone, which were often unheeded, could be of little avail. The great pope, realizing the strength of the civil power and the extension of its influence even to ecclesiastical affairs, had made the necessary concessions to it; he had respected its right of episcopal confirmation. He had more than acknowledged the good will manifested by royal personages. He had granted privileges to the bishops to spur on their zeal. His arguments against barter in spiritual things were all calculated to make an impression upon his contemporaries. In spite of all these labors, he was to die (604) without witnessing any change for the better in Frankish ecclesiastical conditions. His efforts were not fruitless, however; his admonitions and pleadings

[47] Maassen, *ibid.* 178-84.

[48] *Epp.* XIII, 11; XIII, 12; XIII, 13.

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could not be easily forgotten. He had recalled the bishops to a sense of their duty. Mindful of his injunctions, they assembled ten years later (614) in general council at Paris. Here important decrees were promulgated and the first specific one among them was a prohibition of simony.[49]

The condition of ecclesiastical affairs in Spain contrasts favorably with that in France. The country being comparatively tranquil, there was much less religious disorder. During the pontificate of Gregory the Great the second council of Barcelona (November 1, 599), repeating the decrees of previous synods, forbade the acceptance of money for blessed chrism and ordinations. Neither the bishop nor any one of his clergy was to demand any remuneration for the advancement of candidates to the subdiaconate or priesthood. Unduly rapid promotion in clerical orders was also condemned.[50] From the fact that Gregory, in letters to persons in France, earnestly advocated the abolition of these abuses, and had sent the same person, Cyriacus, as papal legate both to Spain [51] and to the Merovingian kingdoms, Baronius [52] is strongly inclined to conclude that the

[49] Maassen, *Concilia*, 185-92; Hefele, III, 67-70.

[50] Mansi, X, 481-84; Hefele, III, 59-60; Gams, *Kirchengesch. v. Span.* II, II, 26-27.

[51] Greg. *Epp.* IX, 230. [52] Ad ann. 599, n. 23.

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condemnations under consideration were the result of Gregory's activity. Gams,[53] on the contrary, thinks that the eighteenth canon of the third synod of Toledo, which prescribed the holding of annual synods, caused the council of Barcelona to meet. Neither opinion rests on grounds sufficient to give us certainty on the question. It is possible that both Gregory's exhortations and the prescriptions of the synod of Toledo had a bearing on the event.

[53] *Op. cit.* II, II, 28.

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CHAPTER VIII

GREGORY THE GREAT AND SIMONY IN THE EASTERN EMPIRE

I. Asia, Egypt and Eastern Europe:—Ecclesiastical policy of the Eastern emperors — Corruption in the empire — Letters of Gregory to Anastasius of Antioch and Isacius of Jerusalem — The church of Alexandria — Unknown result of Gregory's activity — Eastern Europe — Trial of Anastasius of Corinth — Instructions to his successor and to the bishops of Epirus — The church of Salona; Gregory's instructions to his representative Antoninus — Honoratus elected bishop of Salona — Honoratus opposed by Maximus — The latter's consecration — Conflict between Gregory and Maximus — Maximus makes his submission. II. Northwestern Africa:—Ecclesiastical division of the country — The primatial dignity — Donatism — Catholics allow Donatists to rebaptize them for a bribe — Catholic bishops yield to bribery — Gregory appeals to the civil government for help against the Donatists — He vainly tries to introduce a new primatial organization — The cases of Bishops Argentius, Maximianus and Paulinus to be investigated at synods — Letters to Bishops Columbus and Adeodatus — Council of Carthage — Doubtful Numidian council — Gregory's success in Africa only partial — His influence on Canon Law.

I. Asia, Egypt and Eastern Europe

Justinian the Great had made a vigorous attempt to exclude from the sanctuary the exchange of spiritual for temporal goods. His enactments

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were unmistakable on this point; but for various reasons the celebrated lawgiver was far from successful in suppressing simony. The policy of the Eastern emperors was too arbitrary; they condemned in others what they sometimes practised themselves. They too easily disregarded the existing laws when it suited their inclination, advantage or whims, and the disregard of the anti-simoniacal legislation was frequently advantageous to the civil authority. The danger would have been offset by a clergy imbued with a thoroughly ecclesiastical and soundly independent spirit. But it is universally known that the Eastern clergy were ready to yield to temporal autocrats and not disinclined to raise themselves, at times by questionable means, to high position. Thus the laws of Justinian expressed a beautiful theory and ideal, but were hardly more than a dead letter in practical life. Gregory the Great had to wage a fierce struggle against cupidity in the West; the Eastern empire, too, required just as much of his attention in this respect. As seen above, no episcopal candidate was, according to Gregory's information, free from simony in Gaul; he tells us himself that an identical state of affairs existed in the East.[1] It is true that several passages of Gregory's letters, which speak of the traffic in ecclesiastical offices prevalent in different

[1] *Epp.* IX, 135; Jaffé, 1661; *Epp.* XI, 28; Jaffé, 1818.

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countries, seem to be a uniform formula used indiscriminately for every land. They not only express the same meaning; they are couched in the very same terms. It may, therefore, be contended that they do not depict a real historical situation. The information contained in these passages, it must be conceded, admits of a wider or narrower interpretation according to the requirements of the case; but that it deserves no credence whatever, cannot be maintained. As far as the Eastern empire is concerned, corruption undoubtedly prevailed to a considerable extent; and it was Gregory that took the work of reform in hand. In April, 599, he wrote to Anastasius Sinaita, the newly consecrated bishop of Antioch, that, if reports concerning the existence of the evil were true, the elimination of the simoniacal heresy from the churches subject to him should be his first offering to God Almighty. "For not to mention anything else, what will be the conduct, in sacred orders, of men who are promoted, not for merit, but for remuneration"?[2] An identical appeal was addressed not quite two years later to Isacius, bishop of Jerusalem. As proofs of the aversion of Our Lord and the Apostles for the evil, the conduct of Jesus Christ towards the vendors in the Temple and the condemnation of Simon Magus by Peter, were cited.[3]

[2] *Epp.* IX, 135; Jaffé, 1661.
[3] *Epp.* XI, 28; Jaffé, 1818.

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As Eulogius, a warm personal friend of Gregory and a zealous defender of the orthodox faith, was at the head of the church of Alexandria, Gregory fondly supposed that that diocese was not contaminated by the all-pervading corruption. He was mistaken. To his great surprise he was informed in 603 by a young man who had studied medicine at Alexandria, that the evil was rife even there. This man mentioned the sudden ordination to the diaconate of a worthless individual of his own acquaintance. He asserted that the promotion, according to the practice in the Alexandrian church, was procured by a distribution of gifts. "And who is there," Gregory thereupon exclaimed in his letter to Eulogius, "whose exhortation and correction will be able to remedy this state of things, if the exalted and admirable doctrine of Eulogius provided no remedy? For the salvation of your soul, the increase of your reward, and in order that your works may be perfect in all respects in the sight of the terrible Judge, hasten completely to extirpate and eradicate from your most holy see, which is also ours, that first-born of all heresies, simony. The reason of the very noticeable absence of holiness from ecclesiastical ranks, is to be found in the ordination of persons not for their conduct and deeds, but for reward. If merit and not wealth is sought out, unworthy persons will not appear for

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ordination. As to yourself, the more earnestly the salvation of souls is sought by those worthy candidates whom you have promoted to holy orders, the greater will be your reward." [4]

We are not told in historical records whether Gregory's admonitions produced any results either in Asia or Egypt. The Eastern clergy may not have considered the matter referred to of any great importance, as would appear from the antecedent conduct of Eulogius, bishop of Alexandria. The latter was a man of perfect orthodoxy and full of courage in the defence of a righteous cause, and still simony flourished under him.

The need of a moral reform in this respect existed apparently in imperial Europe as well as in the countries of which we have just treated. In a congratulatory letter on his election written to John,[5] bishop of Prima Justiniana in Illyricum (now Ochrida in Albania), Gregory reminded him of the necessity of laying aside the consideration of reward, interest and solicitation in the promotion of ecclesiastics, lest he should become involved in simoniacal entanglements.[6] In 595, Anastasius, bishop of Corinth and metropolitan of Achaia, was deposed for various crimes. During

[4] *Epp.* XIII, 44; Jaffé, 1909; *AA. SS.* Vita Eulogii, Sept. IV, 93-94.

[5] On the identity of this John, see *Epp.* V, 10, note 1.

[6] *Epp.* V, 16; Jaffé, 1164 (of November, 594).

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his trial it developed that the deacon Paul had maintained an interested silence and refrained from making any accusation against the bishop in consequence of having been promised a reward for so doing. It was discovered, moreover, that the clerics Thomas and Euphemius of the church of Corinth had received sacred orders from Anastasius in exchange for discreet silence regarding his unsavory conduct. Gregory ordered Thomas and Euphemius to be deprived of their orders and forbade their restoration forever; he allowed them, however, to retain their original position and stipends. After the promulgation of the sentence against Anastasius, Paul repented of his conduct, and his repentance was deemed sufficient satisfaction. He was pardoned and retained in office together with the lector Clematius, whose offence does not appear to be known.[7] Bishop John, who succeeded Anastasius in the see of Corinth, was requested to remedy the evils of the preceding administration, received a most urgent appeal against barter in spiritual offices and was informed of the Roman conciliar prohibitions[8] against the acceptance of fees either for the reception of the pallium or for ordinations. He and his suffragans were warned that the canonical penalties would be inflicted against them, should they be

[7] *Epp.* v, 57; Jaffé, 1373 (of July, 595).
[8] Synod of Rome, held in July, 595.

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guilty of any simoniacal transgressions in the future.[9] About the same time (Sept. 595), a similar warning was addressed to the bishops of the ancient province of Epirus.[10]

Most of Gregory's trouble came from the church of Salona, near Spalatro, the metropolitan see of Western Illyricum or Dalmatia. At the very beginning of his reign, Gregory had to intervene in the affairs of this bishopric, which was ruled by the worldly-minded Natalis. As the pleasure-loving incumbent found church revenues a very convenient fund for defraying the expenses of his lavish entertaining, he came into conflict with the archdeacon Honoratus, manager of the church property of Salona, who forwarded an accusation against him to Rome. It thus happened that when Natalis died in 593, the church of Salona was divided into two ecclesiastical parties: the supporters of the bishop who in spite of his extravagances and partly because of them had been a very popular man, and those who sided with Honoratus. Upon learning of Natalis' death, Gregory dispatched (March, 593) a letter with instructions for the approaching election to Antoninus, a subdeacon and manager of the Roman patrimony in Dalmatia. "Take care above all else,"

[9] *Epp.* v, 62; Jaffé, 1378 (August 15, 595); *Epp.* v, 63; Jaffé, 1379 (August, 595).

[10] *Epp.* vi, 7; Jaffé, 1387.

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he wrote, "that no bribery whatever play any part and that no one's patronage be exercised in this election. For, when a candidate has been elected through the patronage of others, he feels obliged to act reservedly and yield to their desires; and this means neglect of the affairs of the church and violation of ecclesiastical ordinances." [11] Gregory wished to see an independent person named, and Antoninus carried out his instructions to the letter, even going farther perhaps, than Gregory, with his administrative knowledge, desired. The pope's representative succeeded in having the above-mentioned Honoratus elected. The success was too complete to be lasting. A strong faction opposed Honoratus. The bishops of Dalmatia manifested their hostility to him, for which they received a far from complimentary letter from Gregory.[12] The pope forbade, under pain of excommunication, the consecration of any one to the vacant bishopric without his permission. He declared his readiness, however, to confirm any candidate who should be unanimously elected. He made only one exception: never would he consent to the consecration of a certain Maximus, of whom he had received a very sinister account.[13] Intrigues and bribery were advancing the interests of this very Maximus, to whom Gregory was

[11] *Epp.* III, 22; Jaffé, 1226.
[12] *Epp.* IV, 16; Jaffé, 1287. [13] *Ibid.*

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opposed. The unwelcome candidate secured, through corruption, if we are to believe John the Deacon,[14] the support of the emperor Maurice and produced an imperial mandate enjoining his consecration. Gregory was informed that the mandate was either a forgery or had been procured by theft and unhesitatingly gave credence to this report;[15] the emperor later pronounced against the elevation of Maximus.[16] But in view of the attitude of practical friendship which the former assumed and maintained towards the same Maximus, it is very difficult to admit that the rescript had been issued without any knowledge of either the emperor or some imperial officials. However this may be, Maximus was, on the strength of this rescript, consecrated by bishops whom a previous distribution of rewards had rendered ready for the performance of the service, and with the physical help of men who had likewise been the beneficiaries of the new bishop's generosity.[17] Indeed, so violent was the treatment meted out to the supporters of Honoratus that, according to the reports which reached Rome, the pope's representative, Antoninus, had to take to flight in order to preserve his life.[18] When Gregory heard of

[14] *Vita Greg.* IV, 9.
[15] *Epp.* IV, 20; Jaffé, 1292.
[16] *Epp.* V, 6; Jaffé, 1322.
[17] Joh. Diac. *Vita Greg.* IV, 9; *Epp.* V, 6.
[18] *Epp.* V, 6; IV, 20; Jaffé, 1292.

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Maximus' intrusion, he forbade him and the consecrating bishops to perform any episcopal function or to minister at the altar, till official information should be received from Constantinople regarding the genuineness of the imperial rescript. If they violated these prescriptions of the pope, they were to incur excommunication.[19] Maximus, without even taking cognizance of its contents, had this letter torn to pieces and continued to say Mass.[20] This naturally embittered the conflict. Maximus received some assistance from the civil government and is said to have made a liberal use of the church funds to buy supporters among the laity.[21] Gregory on his part insisted upon the trial of the intruder at Rome, on several charges, simony being one of them.[22] It was only in 599 that the long conflict came to an end. Some of the ecclesiastical supporters of Maximus apparently had deserted him;[23] Gregory yielded to the importunities of the exarch Callinicus and permitted the trial to be held at Ravenna.[24] Maximus was to appear before Marinian, the bishop of the latter city. In case the defendant should

[19] *Epp.* IV, 20.
[20] *Epp.* V, 6; VI, 25; Jaffé, 1405.
[21] *Epp.* V, 39; Jaffé, 1352; Joh. Diac. IV, 10.
[22] *Epp.* V, 39; VI, 3; Jaffé, 1382; VI, 25; VI, 26; Jaffé, 1406.
[23] *Epp.* VII, 17; Jaffé, 1463; VIII, 11; Jaffé, 1498; Joh. Diac. IV, 11.
[24] *Epp.* VIII, 24; Jaffé, 1513; IX, 155; Jaffé, 1681.

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consider Marinian disqualified because of prejudice, Constantius of Milan was appointed associate judge. The pope promised to abide by whatever verdict would be pronounced.[25] A further concession was made to Maximus. Instead of having to undergo a regular trial, he was only asked to do penance for celebrating Mass while under sentence of excommunication, and to swear to his innocence of the other charges.[26] Accordingly, in July, 599, the metropolitan of Dalmatia appeared at Ravenna and lay prostrate for three hours in the streets of the city crying out: "I have sinned against God and the most blessed pope Gregory." He then swore before the tomb of Apollinaris and in presence of Marinianus Castorius, a chartulary of the Roman church, and the exarch Callinicus that he was not guilty either of simony or incontinency.[27] Having thus complied with the conditions imposed upon him he was presented with a letter from the pope, readmitting him to communion [28] and shortly afterwards he received the pallium.[29] The subsequent relations between pope and metropolitan, as can be seen from Gregory's correspondence, were of a friendly character.[30]

[25] *Epp.* IX, 149; Jaffé, 1675; IX, 155.
[26] *Epp.* IX, 177; Jaffé, 1704.
[27] *Epp.* VIII, 36; Joh. Diac. IV, 13.
[28] *Epp.* IX, 176; Jaffé, 1703; IX, 178; Jaffé, 1705.
[29] *Epp.* IX, 234; Jaffé, 1761.
[30] See *Epp.* X, 15; Jaffé, 1784.

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II. Northwestern Africa

In Western Africa, which as an administrative entity, extended from Lybia to the Atlantic Coast, Vandal persecution had ceased only to be followed by Byzantine misrule (535). At Gregory's accession, the country was divided from east to west into six provinces as follows: Tripolis, Byzacium or Byzacene, Proconsular Africa, Numidia, Mauritania Sitifensis and Mauritania Caesariensis. The most important bishopric of these provinces was that of Carthage, whose incumbent exercised metropolitan rights over all Northwestern Africa, besides being the primate of Proconsular Africa. These privileges were attached to the see of Carthage. In the five remaining provinces, the ecclesiastical organization was completely different, and the primatial dignity does not seem to have been the privilege of any fixed see. The account of this system of primacies as given by Mann, in his *Lives of the Popes,*[31] is the one usually received, though it is not capable of conclusive demonstration. It is based on a letter of Gregory the Great [32] and reads thus: "Following in the wake of St. Leo IX (1049-1055), it has been generally agreed among historians that it was *length or duration of epis-*

[31] I, 75. [32] *Epp.* I, 72; Jaffé, 1141.

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copal consecration which settled the acquisition of primatial dignity. In his note to this letter (of Gregory the Great), however, Ewald not unnaturally fails to see how *number of years of ordination* can be got out of the words, *ex ordine loci.* Doubtless not directly; but, though automatic arrangements, by which ecclesiastical preëminence in a province might be settled other than that of seniority may be imagined, promotion by age must be acknowledged to be in every way the most likely. If this be conceded, Ewald's difficulty would be solved, and the explanation of Leo IX stand good. For age would settle the position (*ordo*) of the primates among themselves, and then the senior amongst them would become the primate of the first See."

The defects of this system are evident; for the primates would usually be old men and deficient in energy, or bishops of unimportant towns and deficient in authority. It is, therefore, no matter for surprise that Gregory in his struggle against Donatism attacked this organization. The second half of the sixth century had witnessed a recrudescence of the Donatist schism. The reason for this must perhaps be partly sought in the general confusion of the time; it must also be attributed, in a measure, to the negligence of the Catholic hierarchy and largely to the fact that the severe civil laws against the Donatists were no longer

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enforced. The schismatic party used bribery and violence to gain strength. Pope Gregory was informed, as he himself tells us in a letter of July 23, 592, by Constantius and Mustelus, two deacons of the church of Pudentiana in Numidia, that "numbers of persons after receiving Catholic baptism, consented for a bribe, to be rebaptized by Donatists." [33] Even some very pious Catholics granted their slaves and children or such as

[33] *Epp.* II, 46; Jaffé, 1200; Cfr. *Epp.* IV, 32; Jaffé, 1304; IV, 35; Jaffé, 1305. Dudden in his *Life of Gregory the Great* seems to have mistranslated this passage. It reads in the original text: "Porro autem praesentium latorum insinuatione didicimus, Donatistarum haeresim pro peccatis cotidie dilatari, et valde plures data per venalitatem licentia post catholicum baptisma a Donatistis denuo baptizari." Dudden translates the last part of the sentence (*op. cit.* I, 415): "The Pope laments . . . . that numbers of people, having obtained leave by bribery, were submitting to rebaptism at the hands of the Donatists." This we take to mean that the persons who were rebaptized, bribed Catholics either personally or through others to grant them permission to submit to Donatist baptism. Children, slaves and perhaps some otherwise dependent persons would probably need such a permission from their superiors; free persons would not. As the text speaks of people in a general way, the following may be a less objectionable rendering: "Numbers of persons consented for a bribe to be rebaptized." For as these parties had already received Catholic baptism, they had to give their permission or consent for the administration of the same sacrament by the Donatists. This is the way in which Kranzfelder and Wolfsgruber have understood the passage. (See Kranzfelder, *Gregorius des Grossen ausgewählte Briefe*, 116-117; Wolfsgruber, *Gregor der Grosse*, 230).

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were subject to them, permission to receive baptism at the hands of Donatists.[34] Although bribery is not explicitly mentioned in the latter case, it is natural to suppose, in the light of other statements regarding the Donatist history of this period, that it exercised at least some influence.

The Catholic bishops of the country were themselves not insensible to the attraction of gold, some of them being ready to make important ecclesiastical concessions for a sum of money. At the very beginning of his reign, in August, 591, Gregory had already received from the deacons Felicissimus and Vincentius of the church of Lamiga, a very unfavorable report of affairs in their own diocese. They accused their bishop, Argentius, of having for a bribe appointed Donatists to minister in his churches.[35] Things stood no better at Pudentiana. Maximianus, the bishop of the latter place, yielding to pecuniary influences, had consented to the erection of altar against altar in his own episcopal city, where he permitted a Donatist bishop to establish himself.[36]

Gregory strained every nerve to suppress these abuses; he appealed to the civil authorities for help, and at the same time tried to strengthen the ecclesiastical authorities from within for organized

[34] *Epp.* VI, 34; Jaffé, 1416. The letter is of June, 596, and addressed to Bishop Columbus.

[35] *Epp.* I, 82; Jaffé, 1151. [36] *Epp.* II, 46.

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resistance. As has already been observed, no new imperial laws were necessary to empower civil officials to proceed against the schismatics; such laws were already in existence, but were not applied. Gregory consequently addressed himself to the highest representative of the civil authority in the land, the patrician and exarch Gennadius and asked for repressive action.[37] Gennadius showed himself more appreciative of the advantages he reaped from his conciliatory attitude towards the Donatists than heedful of Gregory's demand: he completely ignored the pope. An appeal to the second official in Africa, the pretorian prefect Pantaleo, met with no greater success.[38] As a last resort, Gregory then addressed himself directly to the emperor Maurice and exhorted him not to let the coercive laws remain a dead letter.[39] It is doubtful whether the court of Constantinople showed greater readiness to suppress the schism than had been manifested by its subordinates in Africa. But even if the pope's demands met with little or no response from the civil government, ecclesiastical measures could bring some compensation for the deficiency. The ecclesiastical organization of Africa, however, was one which was not likely to insure strong and

[37] *Epp.* I, 72; Jaffé, 1141 (August, 591); II, 73.
[38] *Epp.* IV, 32; Jaffé, 1304.
[39] *Epp.* VI, 61; Jaffé, 1445 (August, 596).

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continuous action in one direction. The great source of weakness lay in the defective system of primacies, already described. Gregory, as early as 591, endeavored to abolish the traditional arrangement and to substitute a more efficient one. He wrote to this effect to the exarch Gennadius and requested him to lay before the next meeting of the bishops for their adoption a new method of electing primates. Gregory wished to introduce a change in two important points, one respecting the person and the other the residence of the primate. On the one hand merit and not seniority was to be the determining factor in the election, while on the other, the candidate thus chosen should have a fixed see, his residence to be placed not in this or that village, but in an important city.[40]

The African bishops, however, either could not convince themselves of the superiority of the new plan, or, what is more likely, preferred ancient custom and tradition to a wise innovation. We gather from a letter of Gregory to the bishops of Numidia,[41] that the latter at least were little inclined to accept the pope's proposals. The pontiff was too wise and practical a man to press the point and cause further division in the already much-divided African church. He permitted the old

[40] *Ep. cit.* I, 72.
[41] *Epp.* I, 75; Jaffé, 1144.

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practice to be retained merely stipulating that no bishop who had previously been a Donatist, should be promoted to the primacy, even if seniority were in his favor.[42]

Although he yielded on this point, Gregory was determined to carry out his set purpose of reforming the church of Africa. There was one great means of reform, to which he persistently called attention in other countries and on the use of which he insisted also in this part of the world, it was the holding of councils. Apart from the general evil of the spread of Donatism and the rebaptisms in the sect due to the influence of earthly advantages, solemn accusations of bribery like those which had been made against Bishops Argentius and Maximianus had to be investigated, and if founded in fact, visited with punishment. Speaking of the cases of Argentius and Maximianus in particular, the pope demanded in each case the convocation of a council and the enactment of measures against the two alleged offenders if found guilty.[43] Deposition, the usual penalty inflicted for simony, was to be imposed on Maximianus. "For a man, who sold Our Lord Jesus Christ to a heretic for a sum of money, deserved to be prevented from handling the mysteries of His most sacred body and blood." The pope would doubtless have pronounced deposition

[42] *Ibid.* [43] *Epp. cc.* I, 82; II, 46.

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against Argentius as well, whose sin was, to all intents and purposes, similar to that of Maximianus. A third person, whose actions were to be discussed in a synod, was Bishop Paulinus of Tegesis who was accused of conferring orders in a simoniacal manner. It was about him that the pope wrote in March, 602, to Victor, then primate of Numidia,[44] and to that bishop Columbus of an unknown see, with whom he exchanged so frequent letters.[45] The establishment of guilt, according to the letters, should result in deposition both for Paulinus and the purchaser. Gregory, in the same documents, gives us the pleasing news that this is the first case of the kind the addressees will have to deal with. From this it would appear that simony in ordinations was much less prevalent in Africa than in other parts of the Christian world. Perhaps Gregory's own efforts had contributed, in a certain degree, to the existence of these healthier moral conditions. Several years previous to the time of the accusations against Paulinus, he had, in a writing to the abovementioned bishop Columbus, called attention to the sinful character of a promotion to sacred orders, based not on merit, but on favor or venality. "If you know of such instances do not remain silent, but resist immediately. If you

[44] *Epp.* XII, 9; Jaffé, 1859.
[45] *Epp.* XII, 8; Jaffé, 1858.

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neglect to investigate cases of this kind, or if you conceal what you know, not only the author of the sin, but you yourself will be grievously guilty before God. The canonical penalty must be visited on the transgressor; dissimulation would further increase the evil." [46] A document of a similar tenor had also been forwarded about the same time, 593, to Adeodatus, who was the predecessor of Bishop Victor in the primacy of Numidia, and whose episcopal see is unknown to us.[47] It is not unnatural to suppose that these anti-simoniacal exhortations and instructions had been productive of immediate results.

But without indulging too much in idle speculation, let us examine a question to which some answer must be given before we leave this subject. In how far did the African episcopate carry out Gregory's instructions enjoining upon them the convocation of councils? That one council was held in Africa during Gregory's reign is usually admitted.[48] Carthage probably was the place of meeting, and the year 594 may be given as the date. Only bishops of the province of Carthage seem to have been present, but the enactments of the assembly were probably intended for all

[46] *Epp.* III, 47; Jaffé, 1252 (July, 593).

[47] *Epp.* III, 48; Jaffé, 1253.

[48] Mansi, X, 475; Hefele, III, 57; Dudden, *op. cit.* I, 422; Mann, *Lives of the Popes*, I, 174.

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Africa.[49] For Gregory was apprehensive that all the decisions might not be acceptable to the other primates, thus becoming a source of division in the African church. The minutes of the council have not come down to us, and we know but little about its deliberations and decisions. That it took action against the Donatists is certain; it endeavored especially to stimulate the activity of the bishops against them. Any bishop who proved negligent in searching them out was to sustain the loss of his dignity and property. It was to this provision that Gregory objected as unwise in his acknowledgment of the zeal of the bishops manifested in the holding of the synod.[50]

In spite of the little knowledge which we have of the acts of this Carthaginian assembly, we may safely assume that no examination took place of the charges which had been brought forward at Rome against Bishops Argentius, Maximianus and Paulinus and which the pope had referred back to the African episcopate. The prelates just mentioned belonged all three to the province of Numidia, and it is in a synod of this province that the cases would have been examined. Whether or not a council was held in Numidia during Gregory's pontificate is a debated question.

[49] Mansi, *ibid.* Greg. *Epp.* v, 3; Jaffé, 1319.
[50] *Ep. cit.* v, 3.

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It is certain that one of the pope's letters addressed in September, 593, to the exarch Gennadius, speaks of a "council of Numidia" (*concilio Numidiae*). The sentence in which the expression occurs reads in its entirety: "Be it known to your Excellency, that, through the arrival of some persons from Africa, it has been brought to our knowledge, that in the council of Numidia many violations of the traditions of the Fathers and of the ordinances of the canons, are committed." [51] This passage together with the instructions for the prospective Numidian councils, which Gregory had issued in July of the same year, 593,[52] has appeared to some writers sufficient proof for the admission of a synod at this time. Dudden writes: "In the August, probably, of 593, a synod was held in Numidia under the presidency of Adeodatus." [53] Ewald and Hartmann, the editors of Gregory's *Registrum Epistolarum* in the *Monumenta Germaniae Historica* seem to hold the same view.[54] Mansi [55] and Hefele,[56] on the contrary, contend that the expression *concilio*

[51] *Epp.* IV, 7; Jaffé, 1278: "Cognoscat siquidem excellentia vestra, quibusdam de Africanis partibus venientibus ad nos fuisse perlatum, plura in concilio Numidiae contra patrum tramitem atque canonum statuta committi."

[52] *Epp.* III, 47, Jaffé, 1252 (July, 593) to Bishop Columbus; *Epp.* III, 48, Jaffé, 1253, to Bishop Adeodatus.

[53] *Greg. the Great*, I, 421.

[54] *Epp.* IV, 7, notes.

[55] *Concilia*, X, 474.

[56] *Conciliengesch.* III, 57.

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Numidiae, as used by Gregory (Book IV, Letter 7), does not convey the meaning which we usually attach to the word council. As Mansi observes, a council may very well have been held at the time in Numidia; it is certain that one was to meet. But we have no peremptory argument to prove that the idea was carried into execution. The letter which is supposed to establish the point and to which we have already referred repeatedly, is couched in such language as to exclude, in all probability, the idea of one particular council. According to this letter, Bishop Columbus is to investigate the disorders committed in this alleged council, which the exarch is to search out and punish. There is evidently no question here of enactments of a synod, which were a cause of relaxation of discipline. For, if such had been the case, it is a revocation and not an investigation which Gregory would have demanded. The letter merely speaks of long-standing abuses which prevailed in the province, in the ecclesiastical jurisdiction of Numidia, that part of Africa which used to assemble together in council (Numidian council).[57]

Gregory the Great's uncompromising opposition to simony forces itself upon the reader of his letters. In several of his sermons he also inveighs

[57] Gregory seems to have used the word *concilium* in a similar sense in other letters; see *Epp.* I, 72; V. 3.

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against this abuse. Before an episcopal audience he speaks of its prevalence among the clergy;[58] but in his homilies to the people he also mentions the subject of simoniacal ordinations.[59] The fact that even before a lay audience no discretion had to be used in this respect proves that the practice was known to every one. But enough has been said of Gregory's work for the suppression of the abuse. It is his influence on the development of anti-simoniacal legislation that we wish to indicate here. Just as some of the decrees of his predecessors and of councils on this point were received into the "Corpus Juris Canonici," so likewise some of Gregory's utterances became and still remain ecclesiastical law.[60] It is true that some of his prohibitions contained little that was new. The sale of ecclesiastical offices, especially bishoprics, had been frequently forbidden before him. The episcopal office had become a much-coveted position at an early date, and restrictive legislation was the consequence. The ecclesiastical organization had not been modified to the extent of demanding in Gregory's time new laws prohibitive of simony, or any considerable extension

[58] *Hom. in Evang.* Lib. I, XVII, 7, *PL.* 76, 1141-42 and especially Lib. I, XVII, 13, *PL.* 76, 1145-46.

[59] *Hom. in Evang.* Lib. I, IV, 4, *PL.* 76, 1091-92; see *Hom. in Evang.* Lib. II, XXXIX, 2 and XXXIX, 6, *PL.* 76, 1294-95 and 1297.

[60] See on this point, *Corpus Juris Can.* Causa I, Quaest. 1.

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of the old ones. Ecclesiastical patronage, the recognition of which some find in the tenth canon of the council of Orange, held in 441,[61] had not yet received sufficient development to lead to grave abuses. Benefices had come into existence under the name of *Precariae,* but were still in the formative period of their history.[62] The sale of sacramental graces other than ordination was not universally prevalent. Hence, as regards the spiritual object of a simoniacal transaction, Gregory made no addition to the already existing legislation.

There was one point, however, which was either consciously or unconsciously misinterpreted in Gregory's time, viz., the meaning of the expression, "present, reward, earthly price." Some persons sought to elude the existing laws by the nature of the compensation which they gave or received for spiritual favors. That the payment of money or the gift of other valuable material objects was forbidden was clear, and they did not give them in exchange. But in return for promotion to the episcopal or the sacerdotal dignity, they could promise other temporal advantages. John the Deacon tells us[63] that they experienced

[61] A contrary opinion is expressed by Hinschius-Stutz in *Realenc. für prot. Theologie,* 3d ed. s. v. Patronat.

[62] Creagh in *Cath. Encyc.* s. v. Benefice.

[63] *Vita Greg.* III, 6.

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no difficulty in finding ecclesiastical personages willing to accept such promises or offers and to grant preferments. Some candidates pledged more than usual submissiveness to the will and desires of the consecrating or ordaining prelate. In exchange for ecclesiastical appointment, others promised to recommend to powerful personages, those to whom they owed their dignity. The allurements of such advantages also operated in another way. A bishop might reject a candidate because of the absence of the necessary qualifications for an ecclesiastical office; but influential parties interposed, supplications and patronage were used and the reluctant prelate would yield to these influences. The nomination meant honor for a certain family or party; but it too frequently meant dishonor for the Church. It became imperative to take decisive action against these abuses, and Gregory permanently stated the full meaning of the earthly price given in exchange for something spiritual. In his Letters [64] he had frequently insisted that not only money, but the influence of important men, the petitions of certain parties should play no rôle in episcopal elections or ecclesiastical preferments. It was in one of his homilies [65] that he gave the threefold division of the price into

[64] Cfr. *Epp.* III, 22; V, 16, 63; VI, 7, 27, etc.

[65] *Hom. in Evang.* Lib. I, IV, 4, *PL.* 76, 1091-92; Joh. Diac. *Vita Greg.* III, 6.

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"*Munus ab obsequio, munus a manu, munus a lingua.*" This division became classical after him and is used to this day by writers on the subject. Some may boast of their integrity because they received neither money nor any other material price (*munus a manu*) for the spiritual favor; but they are none the less guilty, if instead of this, they appointed a candidate in compensation for special and undue services which he would render them (*munus ab obsequio*) or for recommendation in high places (*munus a lingua*)." [66] In all these cases, according to Gregory, the sin of simony exists, as there is exchange of the spiritual for the temporal. Subsequent ages have brought no addition to this interpretation of the material price.

[66] *Corpus Juris Can.* cap. 114, C. 1, Q. 1.

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CHAPTER IX

SIMONY IN THE WEST FROM THE DEATH OF GREGORY THE GREAT TO THE DEATH OF CHARLEMAGNE (604 TO 814)

I. PREVALENCE OF SIMONY:—Papal elections and the civil power — Pope Zachary, Boniface and the pallium-affair — Charlemagne, Alcuin and simony in Italy — Simony in France — Occurrences at Soissons and Clermont — Charles Martel — Ecclesiastical conditions under the Carolingians — Simony in Spain and in England. II. ANTI-SIMONIACAL LEGISLATION:—The *Liber Diurnus* in Italy — The Capitulary of Mantua; the council of Rome and that of Forojulium — Councils in France — Regulations on special topics — Spanish and Anglo-Saxon legislation.

I. PREVALENCE OF SIMONY

GREGORY the Great had made a bold and persistent attack upon the traffic in ecclesiastical positions. That his policy, however, would result in the complete or almost complete suppression of the abuse for any considerable length of time could hardly be expected. The lines along which the relations between the ecclesiastical and the civil governments had developed, assured to the secular authorities large control over church affairs and to the bishops considerable power in civil administrative concerns. In such a state of things it

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was extremely difficult, if not impossible, to banish all intrigue, solicitation and venality from the nomination to offices in the Church. At Rome a sum of money continued to be paid after Gregory's death to the emperors of Constantinople for their confirmation of papal elections. It was only towards the end of the seventh century that Pope Agatho (678-81) obtained from the emperor Constantine Pogonatus the remittal of the customary tribute.[1] The emperor, however, insisted on his privilege of confirmation, but during the reign of Pope Benedict II (684-85) delegated his power to the exarch at Ravenna.[2] It is possible that no formal delegation took place. Yet as a matter of fact, the exarchs intervened in the choice of a successor to the See of Peter. It appears clearly from the history of the election of Pope Conon (686) that the confirmation was not suppressed. We are told that, as usual (*ut mos est*), an embassy was sent to the exarch Theodore.[3] Conon reigned but a very short time. At the election of his successor (687), the part played by the exarch was nothing short of disastrous. John Platys, who then held that office, was ap-

[1] *Lib. Pont.* I, 354 seq; see also, 358, note 34.

[2] *Lib. Pont.* I, 363.

[3] *Lib. Pont.* I, 368; for the interpretation of the "ut mos est" see Duchesne, in *Biblioth. de l'Ecole des Chartes* (1891), LII, 14-15.

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proached by the archdeacon Paschal, who offered to pay him 100 pounds of gold for the papal dignity. The exarch apparently accepted the offer. Two Roman parties elected their own candidates, one the archpriest Theodore, the other the archdeacon Paschal. Neither of the two successful ecclesiastics would yield to his rival, so that, as had been done at the previous election, a compromise candidate was chosen in the person of Sergius (687-701). The archpriest Theodore immediately submitted to the choice of the more judicious and more powerful part of Rome. But not so Paschal. He reluctantly acknowledged the authority of Sergius, and meanwhile again made promises of money or other gifts to the exarch to induce him to come personally to Rome. The latter unexpectedly made his appearance in the city of the popes; but he arrived too late. Things were in such an advanced stage that he could no longer bring forward Paschal. He insisted, nevertheless, that Sergius should redeem Paschal's promise and pay the 100 pounds of gold. Sergius protested that he personally had not entered into any engagement, and that he was not able to pay the amount demanded of him. But the exarch remained so inflexible that it was necessary to mortgage some of the decorations of St. Peter's in order to pay him the stipulated sum.[4]

[4] *Lib. Pont.* I, 368-72.

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During the latter part of the period ready credence was given to some accusations of simony levelled against the pope and the Italian clergy. Boniface, the apostle of Germany, was informed (from what source and on what authority it is impossible to tell), that the abuse existed at the pontifical court. In a letter, which is lost, he remonstrated with Pope Zachary on this subject. The latter, in his answer of the year 744 from which we derive our information, indignantly repudiated the charge. Boniface had requested the pontiff to bestow the pallium on the three archbishops, Grimo of Rouen, Abel of Rheims and Hartbert of Sens, and his request had been granted. Before the favorable answer from Rome reached him, the great missionary heard it rumored that payment had been demanded for the bestowal of the ecclesiastical insignia. He dispatched another letter to the pope, in which, instead of three pallia, he asked for but one, that for Grimo, the archbishop of Rouen. At the same time he complained of the existence of simony at Rome, where emoluments were demanded or expected for such a favor. The pope vehemently protested that the imputation was false; that neither he nor his clergy exacted, demanded, or accepted money or reward for the bestowal of the pallium. He forbade Boniface to write to him a second time in the same strain.

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"Far from us and our clergy, that we should sell for a price the gifts of the Holy Ghost, which we have gratuitously received. None of them demanded any compensation for the bestowal of the three pallia, which, as above stated, we granted at your request. We ourselves, and not they (the archbishops), bore the expense of the charters, which we usually send as credentials in such cases. Your fraternity must abstain from objecting to us even the name of the simoniacal crime, for we anathematize all such as dare to sell the gift of the Holy Spirit for an earthly price." [5]

From later letters, one of which was written by Boniface, the other by Pope Zachary, we know the pallium affair had not yet been settled in 751.[6]

During Pope Hadrian's reign, Charlemagne addressed a similar complaint to the pontiff (790-91). The emperor had been informed by his "*Missi*" that simony in episcopal consecrations was rampant in Tuscany and many other parts of Italy, including the city of Ravenna. Large sums of money were spent in this execrable practice. To such an extent had the evil gained ground that the resources in gold and silver of some

[5] *MGH. Epp.* III, *Epp. Aevi Mer. et Kar.* I, 315; see Hefele, *Conciliengesch.* III, 514; Hauck, *Kirchenq. Deutschlands*, I, 543-44, 3d and 4th ed. (Leipzig, 1904).

[6] *MGH.* vol. cit. 368, 370.

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churches had been exhausted, and as a consequence, church property was alienated. It was leased out in virtue of the contract known as "emphyteusis." The pope answered this report of the imperial officials by protesting his innocence. Never had he knowingly consecrated any simoniacal candidate, nor would he listen to a proposition made by any power whatsoever in favor of such. But neither should the emperor indulge in such practices. The pope consecrates only those who are canonically elected to the episcopal office by the clergy and people, and before the ceremony the candidate is specifically questioned regarding his freedom from simony. He must, moreover, sign an oath that he will never accept anything for ordinations.[7]

These protestations only temporarily reassured the emperor. Shortly after the accession of Leo III (795-816) he considered the suppression of simony one of the most important duties to be impressed upon the mind of the new pope (796), on account of the great ravages made by this evil in so many places.[8]

A few years later (802), Alcuin, writing to Arno, archbishop of Salzburg, also refers to the deleterious influence of simony. With the touching and timid humility of the inferior, he deplores

[7] *MGH. Epp.* III, 634; Jaffé, *Reg.* 2478; *Bibl. Rer. Ger.* 98.
[8] *MGH. Epp.* IV, 136.

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the sad condition of the Church in general and of the Apostolic See in particular owing to the prevalence of simony.[9] The conviction evidently existed at this time at the Frankish court that bribery played a very large part in ecclesiastical affairs at Rome.

From the *Life of St. Eligius,* to which reference has already been made, an idea may be gained of conditions in France at the beginning of this period. The author of this work relates that in the Saint's time, viz., in the first half of the seventh century, the destructive sin of simony was rampant in the cities and in all parts of the Frankish kingdom.[10] From the biographer of Queen Bathilde we learn that she lived at a period when simony stained the Church of God.[11]

The longer *Life of St. Sulpitius,* as given in the Bollandist edition, speaks of the profusion with which gold and silver were offered in the election of a successor to Austregisil in the archiepiscopal see of Bourges. But the influence of the queen is said to have been more powerful than that of money. Sulpitius II or Pius, whose character was above reproach, secured the nomination and ruled the diocese for twenty years

[9] *MGH. Epp.* IV, 416.

[10] *Vita Eligii,* Lib. II, c. 1, *MGH. SS. Rer. Merov.* Tom. IV, 694-95.

[11] *MGH. SS. Rer. Mer.* II, 488.

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(624-44).[12] The authority of this passage of the *Life of St. Sulpitius* has been questioned by Krusch, who has not received it into his edition of the writing.[13]

About the year 652 the monk Bettolenus, as he himself afterwards confessed, bought the bishopric of Soissons. He later (656) resigned in consequence of this irregularity in his promotion. The resignation was not in any way compulsory; for, as the chronicler observes, there was not a person then in existence who would have avenged such a deed. The renunciation was a free act of reparation on the part of Bettolenus.[14]

How fearlessly the evil could manifest itself is evidenced by the events which occurred at Clermont about 665. Felix, the bishop of the city, had died. Prejectus, abbot of the local monastery of Chantoin seems to have believed that he was destined by God to fill the vacancy. He informed his fellow-citizens of a vision that had been narrated to him by his mother to the effect that he would become a bishop. In reply, he was bluntly asked by those whom he addressed whether he had enough gold and silver to attain the end he had in view. To this Prejectus retorted that, if God had selected him for the office, the authority

[12] *AA. SS.* Jan. II, 533.
[13] *MGH. SS. Rer. Mer.* IV, 364-380.
[14] *Vita Drauso. AA. SS.* Mart. I, 404-405.

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of the canons would dispense him from any expenditure for it. In spite of his confidence, money was powerful enough to assure momentarily the success of an unscrupulous rival. The archdeacon Gervald (Garivaldus), unable to secure the dignity by honest effort, bought the suffrages of the laity. The latter brought pressure to bear upon the clergy to such an extent that some of them yielded. Thus the majority of the votes were cast for Gervald, who took possession of the see of Clermont. But his reign was to be of short duration. For, 40 days later, death put an end to his career, and the alleged vision concerning the person of Prejectus now received its realization.[15]

Under the last Merovingian kings, the weakness and impotence of these rulers, which was the cause of so much confusion, naturally made itself felt also in the Church. While there is but little direct and specific evidence[16] tending to prove that simony was very prevalent, it is certain that bishoprics were freely given to favorites, to men of civil or military merit, but of no ecclesiastical training, spirit, or conduct. The appointment of

[15] The text of a newly discovered manuscript narrating these events was published by Vacandard in *Rev. quest. hist.* (1898), LXIII, 373-74 note. See also *AA. SS.* Jan. III, 248.

[16] See Pirminus in his *Scarapsus de Sing. Libris Canon. PL.* 89, 1035.

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such men was one of the characteristics of the administration of the great major-domo Charles Martel (717-41). Charles undoubtedly rendered invaluable service to Christianity, especially by repelling the Saracen hordes. But in his appointments to ecclesiastical offices, he was not always actuated by the desire to advance the interests of the Church. He looked upon the nominations to church dignities as an effectual and necessary means of strengthening his political and military position. Bishoprics and abbeys became the reward of his followers, principally soldiers who had fought under him. Some of these became the simultaneous incumbents of several ecclesiastical benefices.[17]

Under the Carlovingian kings, ecclesiastical conditions, though not so unfavorable, were far from perfect. The great development of ecclesiastical patronage became an important source of unholy traffic. The donation of landed estate to churches, or the construction of churches on private property with private means became a not uncommon benefaction, which was fittingly rewarded by ecclesiastical authorities: the right of presenting a candidate for the charge was granted the generous

[17] The state of the Frankish church at this epoch is described in a letter addressed in 742 by Boniface to Pope Zachary. It is found in *MGH. Epp.* III, 298-302. See also Hergenröther-Kirsch, *Kirchengesch.* II, 53-54.

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donor. The post was frequently a remunerative one. This fact soon led the lay persons who had a right of designating a candidate for the nomination to expect a compensation for their presentation. It also inclined ecclesiastics to come up to the expectations of the patrons on whom they had partly to depend for their appointment.[18]

Certain abbots now began to demand a fee for admission to their monasteries,[19] while the abuse known as the plurality or cumulation of benefices did not cease to exist. Even in the time of Charlemagne not a few bishops were simultaneously heads of important dioceses and abbots of one or more monasteries.[20] Nor was it uncommon to find men vested with authority over several abbeys. Thus Alcuin was abbot of the following monasteries: Ferrières in the diocese of Sens, St. Lupus at Troyes, Flavigny (diocese of Autun), St. Josse-sur-mer (diocese of Amiens), and St. Martin at Tours.[21] Although no instance of simony can be cited in which the Carolingians had a share, it is certain that the evil was not

[18] See *MGH. Concilia* II, 1, 282, c. 42 and 288, c. 15; Dresdner, *Kultur- und Sittengesch. der Ital. Geistlichkeit*, 38-41.

[19] Synod of Frankfort (794) in *MGH. Concilia*, II, 1, 168.

[20] See instances of this kind quoted by Ketterer, *Karl der Grosse und die Kirche*, 181, note 1.

[21] See Ketterer, *op. cit.* 214, note 5.

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extinct. The reign of Charlemagne was far advanced in its course, when Alcuin could still deprecate, in verses addressed to him, the prevalence of simony (800). Among the abuses which demanded the attention of this powerful ruler, was the bestowal of divine gifts for remuneration:

"Plurima nempe tibi sunt emendanda per orbem,
O Rex, o rector, o decus ecclesiae!
Simoniaca quidem pululat male pestis in orbe,
Muneribus dantur mystica dona dei,
Quae deus aeternus cunctis impendere gratis
Jusserat, ut gratis accipit ipse dator."[22]

At the beginning of the seventh century, the kings in Spain had, as Gams remarks,[23] taken the episcopal elections into their own hands. The fourth council of Toledo (633) relates that, to obtain the episcopal office, some had recourse to intrigues, others to gifts; that criminals and soldiers were promoted to the position. After this statement of existing conditions, the Fathers of the council make the frank admission that so great would be the disturbance aroused in the Church by the removal of these persons that they prefer to ignore the past and merely issue preventive measures for the future.[24] Other councils held

[22] *MGH. Poetae Lat. Aevi Carol.* I, 258, verss. 43 seqq.
[23] *Kirchengesch. Span.* II, II, 80.
[24] Mansi, X, 624, can. 19.

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in the same city [25] also deplored the fact that, in spite of the multiplicity of prohibitions, the simoniacal evil, far from abating, had rather gained in strength.

The invasion of Spain by the Arabs, which opened with the battle of Jerez de la Frontera (711), brought about a considerable change in ecclesiastical affairs. Simony in ordinations probably decreased in Moorish Spain; but it is certain on the other hand that, owing to the material advantages accruing to them from their apostacy, Spanish Christians were exposed to great temptations of denying their faith.[26]

The first king of the Angles to sell a bishopric was, according to William of Malmesbury, Wulfhere of Mercia.[27] The other party to the transaction, which was concluded in 666, was Bishop Wini. Wini had been created bishop of the western portion of the West-Saxons about 663. His promotion was due to King Cenwalh's desire to have in his kingdom a bishop conversant with the Saxon tongue, for the sole bishop of the realm, Agilbert, was ignorant of the language. Upon Wini's intrusion, Agilbert left the kingdom, and

[25] The eighth council of Toledo (653) in Mansi, x, 1216, can. 3; and the eleventh council of Toledo (675) in Mansi, xi, 142, can. 9.

[26] Gams, *op. cit.* II, ii, 300.

[27] *Gesta Regum Anglorum*, i, 76.

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Wini remained the only bishop of the West-Saxons, with his see at Winchester. But the king, who had found fault with Agilbert, also quarreled with Wini. For some unknown reason the latter was constrained to leave the kingdom and proceeded to Mercia. Here he bought the see of London from King Wulfhere.[28] Bede, to whom we are indebted for this information, adds that he held this see until his death (c. 675). This statement must undoubtedly be preferred to the assertion of Rudborne, a writer of the later Middle Ages, according to which Wini, repenting of his simony, retired to Winchester and lived there as a penitent during the last three years of his life.[29]

This exposition of simoniacal dealings may be concluded with the mention of a practice which originated at Rome about the beginning of the ninth century, viz., the trade in relics. It chiefly flourished subsequently to our period, but can hardly have been completely unknown before 814. Some interesting pages on this topic entitled "Roman Relics in the Ninth Century," will be found in J. Guiraud's *Questions d'Histoire et d'Archéologie Chrétienne*.[30]

[28] Bede, *Hist. Eccl.* III, 7, in Plummer, *Bedae Opera Hist.* I, 141 (Oxford, 1896).

[29] *Anglia Sacra*, I, 192.

[30] 235-261 (Paris, 1906).

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II. Anti-Simoniacal Legislation

While but few anti-simoniacal laws special to Italy were passed during the seventh and eighth centuries, some of the earlier prohibitions were made more accessible by their appearance in collections of instructions and enactments prepared for practical purposes. A collection of this kind was the *Liber Diurnus* of the Roman church, one of the important literary remains of the period. It contains formularies in use at the important functions and events in that church, and was formed into a collection between the years 685 and 751, though most of its component parts go back to an earlier date. The influence of the writings of Gregory the Great clearly appears in the anti-simoniacal measures which it contains. Suffice it, therefore, to note here the fact which we learn from it that the newly created suburbicarian bishops, solemnly pledged themselves not to accept any fee for the administration of the sacraments.[31] The formula of a similar promise made by the bishops of Italy is found in the minutes of the Capitulary of Mantua, held perhaps in the year 787. It is noteworthy because it is of a greater definiteness and precision than most anterior enactments of a similar nature. It reads: "We promise

[31] *Cautio Episcopi.* no. 74, ed. Rozière.

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not to receive any reward for the ordinations of priests and other clerics, neither from themselves, or from their relatives or friends, either privately or publicly." [32]

Another passage of the same Capitulary reminds the bishops of their duty on a kindred subject. On their visits through their dioceses they must not exact or take a heavier contribution than is permitted by either the canons or custom; and the people must not suffer oppression either from them or their retinue.[33]

As to the new mode of papal election introduced by the council of Rome in 769, it made but indirectly for the suppression of venality. The synod reduced very considerably the power of the laity in naming a bishop of Rome. No soldiers of the armies stationed in Tuscany and Campania were allowed to appear in Rome during the election, nor were servants of clerics or military persons present in the city permitted to carry arms. Only a cardinal-priest or a cardinal-deacon was to be eligible for the papacy, and the people were to have no part in the election.[34]

Very explicit, on the contrary, in its condemnation of simony among clerics was the council of

[32] *MGH. Capit.* I, 195, c. 10, ed. Boretius.

[33] *Ibid.* c. 5.

[34] *MGH. Concil.* II, 1, 76 seqq.; Hefele, *Conciliengesch.* III, 434-39.

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Forojulium or Forum Julii. The name of the place where it was held has been perpetuated in the modern name of the territory of Friuli. The city formerly known as Forojulium is to-day called Cividad or Cividale. When the council was held (796 or 797), it was the residence of the patriarchs of Aquileia. The prohibition of simony, issued by the synod, is emphatic, but contains nothing new.[35]

In France, councils and capitularies issued antisimoniacal laws with monotonous regularity during the period. The national council of Paris (October 10, 614) decreed that "at the death of a bishop, that candidate ought to be consecrated to succeed him, whom the metropolitan, the bishops of the province, the clergy, and the people had elected without yielding to private interests or the influence of money."[36] The decree, very explicit in the mention of the persons who had a share in the creation of bishops, had the defect of sinning grievously by omission. The king, whose right of confirmation of episcopal elections, had long since been recognized, was entirely ignored. The monarch then occupying the throne was Clothaire II, who had become sole ruler of the Frankish dominions in 613. He speedily obtained redress. In the edict confirmatory of the synod,

[35] *MGH. Concilia*, II, 1, 190, can. 1.
[36] *MGH. Concilia*, 1, 186, can. 2.

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published October 18, 615, he stipulated that the bishop-elect must obtain royal confirmation.[37]

Subsequent synods gave their approbation to the Parisian decrees in the sense in which they had been sanctioned by Clothaire. This was done by the council held after 614 at an unknown place (perhaps Bonogelo, Bonneuil, near Paris),[38] and by the councils of Clichy (626 or 627),[39] and Rheims (between 627 and 630).[40]

The repressive enactments of synods were at the same time supplemented by the individual efforts of persons in high station. Protadius, bishop of Besançon (c. 612-24), probably waged war against simoniacal practices,[41] thus continuing a policy which seems to have been in honor during the rule of his immediate predecessor Nicetius.[42] The passage which explicitly speaks of his activity cannot refer to the time of his episcopate, since it commends his zeal displayed in this line during the pontificate of Gregory the Great, who died in 604. It is nevertheless probable that he opposed simony in the position which he occupied previous to his elevation to the episcopal dignity. This attitude he would hardly have modified, when once raised to the government of a diocese.

[37] *PL.* 80, 451, no. 1 of the edict.
[38] *MGH. Concilia,* I, 193, can. 1.
[39] *Ibid.* 196-97, can. 4.
[40] *Ibid.* 203, can. 3.
[41] *AA. SS.* Feb. II, 413-14.
[42] *AA. SS.* Feb. II, 167-68.

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Eligius, bishop of Noyon (c. 641-58), and his friend Audoenus (Dado, Owen) bishop of Rouen (c. 641-84), together with other Catholic men, successfully urged upon Clovis II and the noblemen of his kingdom the necessity of suppressing "this mortal disease." [43] With their assistance, Clovis' widow, Queen Bathilde, who assumed the regency in 656, was also enabled to repress simony with greater firmness.[44] One important result of the influence of the two bishops on Clovis II was the convocation of a council during his reign for the extirpation of the abuse. While the time and place of this synod are not definitely known, it is very probable that the one held at Châlon-sur-Saône about 648 was the partial result of the efforts of Eligius and Audoenus.[45] The Fathers assembled at Châlon, mindful of the development which had taken place in the hierarchical organization of the Church were not content with censuring the venal acquisition of the episcopal office. It was explicitly stated that venality should also be absent from the ordination to the priesthood and diaconate, as well as from the nomination to an abbey.[46] The council held some time previously, presumably at Bonneuil, had already

[43] *Vita Eligii.* Lib. II, 1, in *MGH. SS. Rer. Mer.* IV, 694-95.
[44] *Vita Bath.* in *MGH. SS. Rer. Mer.* II, 488.
[45] See Vacandard, *Saint Ouen* (Paris, 1902), 222-23.
[46] *MGH. Concilia,* I, 211, can. 16.

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decreed that money should play no part in the appointment of an abbot.[47] Later enactments condemning, in a general way, the practice of simony in the acquiring of ecclesiastical dignities, like the one issued by the council of Verneuil (July 11, 755),[48] may be said to include the condemnation of venal abbatial succession.

Another regulation, directly referring to monastic life, was made in favor of those who wished to join a religious community. It forbade any abbot to require the payment of a fee from postulants for admission to his monastery. This prohibition, which is contained in the "Duplex Legationis Edictum" of the year 789,[49] was repeated by the council of Frankfort, 794. This council added that the Benedictine rule, according to which admission was free, should be observed in this regard.[50]

The sharp competition which existed towards the end of the period for the appointment to churches owned by private individuals was reacted against in the following manner: 1. Laymen were prohibited from exacting payment from clerics to whom they had given charge of a

[47] *MGH. vol. cit.* 195, can. 11.
[48] *MGH. Capitularia*, I, 37, c. 24; see also *ibid.* 55, cc. 21, 22; 102, c. 8; 399, c. 20.
[49] *MGH. Capitul.* I, 63, c. 15.
[50] *MGH. Concilia*, II, I, 168.

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church;[51] at least they were not to make any unjust demands upon them for remuneration.[52] 2. Deposition was pronounced against the priest who obtained a church for a price,[53] especially if, in so doing, he ousted another legitimately appointed priest from his position.[54] 3. Clerics and laymen were forbidden to give any priest a church without the permission and consent of the bishop.[55]

To prevent the pastoral visitations of bishops from degenerating into tyrannically predatory raids, the council of Châlon-sur-Saône (813), following in the wake of the capitulary of Mantua, severely condemned episcopal exactions indulged in on such occasions. Bishops, it stipulated, were not to extort stipends as due them in rigorous justice. If at times the needs of their ministry compelled them to accept a material compensation, they were to use the utmost discretion[56] so as to avoid scandal and molestation. Instructions of a similar nature were issued by the same

[51] Council of Arles (813), *MGH. Conc.* II, 1, 251, can. 5; Capitulary of Charlemagne containing extracts of the councils held in 813, *ibid.* 295, c. 3; see also 299, c. 14, and Mansi, XII, 384.

[52] Council of Mainz (813), *MGH. Conc.* II, 1, 268, c. 30.

[53] Council of Rheims (813), *ibid.* 255, c. 21.

[54] Council of Tours (813), *ibid.* 288, c. 15.

[55] *Ibid.* 288, c. 15 and 299, c. 14.

[56] *MGH. Concilia*, II, 1, 276, c. 14.

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council for archdeacons, who were not to show themselves tyrannical, covetous, or avaricious in their dealings with the parochial clergy.[57]

Among the regulations appearing in the capitularies of Charlemagne, there is one which aims more particularly at the exclusion of simony from all priestly functions. It was framed by the clergy and is probably a fragment of the Acts of the council of Aix-la-Chapelle (802). It decrees that "no priest shall presume to sell the sacred office, the sacrament of baptism or any other spiritual gift for a temporal price."[58] To this the council of Mainz (813) added that payment should not be made by the priests for the balsam blessed for holy chrism, nor should they defray the expenses incurred for the acquisition of church lights.[59] The synod thus exhibited its anxiety to banish from the Church the slightest appearance of simony. The existence and manifestation of such a disposition must undoubtedly be largely attributed to the unrelenting efforts of Charlemagne in favor of ecclesiastical reform.

In Spain the councils maintained and completed the already existing anti-simoniacal legislation. Persons guilty of this sin in obtaining or confer-

[57] *Ibid.* 277, c. 15. See also canon 43 (p. 282), which condemns the simoniacal ordinations performed by certain "Scoti."

[58] *MGH. Capit.* I, 106-107, c. 12.

[59] *MGH. Concilia*, II, 1, 277, c. 16; see also c. 17.

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ring the episcopate were punished by the fourth council of Toledo (633) with the loss of their dignity.[60] The sixth council of Toledo (638) pronounced the unusual penalty of confiscation against simoniacal bishops.[61] Another synod, held in the same city some years later (653), threatened offenders with excommunication and forcible seclusion in a monastery.[62] Episcopal candidates were subsequently required to take an oath attesting the regularity of their election, and future simoniacal delinquencies were to be expiated by penance of two years in exile.[63] Finally, the council of Braga (675) censured the practice of promising payment before ordination and of redeeming the promise after the reception of the sacred dignity.[64]

The Spanish laws insisted on the necessity of not receiving any price for the administration of baptism or the distribution of holy chrism. According to the synod of Emerita (666), the person commissioned by the bishop to distribute the holy chrism among the priests shall not presume to take or demand any compensation. In a similar manner, those who administer baptism to infants shall under no circumstances accept anything from the parents, except it be spontaneously

[60] Mansi, x, 624-25, c. 19.
[61] *Ibid.* x, 664, c. 4.
[62] *Ibid.* x, 1216, c. 3.
[63] Eleventh synod of Toledo (675), Mansi, xi, 143, c. 9.
[64] Mansi, xi, 158-59, c. 8.

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offered.[65] The eleventh synod of Toledo (675) entered into more details. No ecclesiastic was to receive any emolument not even a spontaneously proffered gift for baptism, confirmation, holy chrism or orders. A two months' excommunication was to be incurred by the bishop tolerating a contrary practice. Should the offence be committed without the bishop's knowledge, the recipient of the reward was, if a priest, to be excommunicated for three months, if a deacon, for four months. The subdeacon and inferior clerics were to receive the appropriate corporal castigation and also incur excommunication.[66]

Among the Anglo-Saxons also, the church authorities began to take cognizance of the evil in their councils during this period. But they issued few prohibitions and these were identical with those in existence in other countries.[67] Worthy of special mention is the stirring appeal to avoid simony, which Alcuin addressed to the people of the archdiocese of York in 795. The church of York had been till then free from all such stain, and the great Englishman wished the local population to be faithful to this tradition in the forthcoming election of a new archbishop.[68]

[65] *Ibid.* XI, 81, c. 9. [66] *Ibid.* XI, 142-43, cc. 8 and 9.

[67] Council of Cloveshoe (747), Haddan and Stubbs, *Councils and Ecclesiastical Documents relating to Great Britain and Ireland*, III, 365, c. 9; Report of Legatine Synods, *ibid.* III, 449.

[68] *MGH. Epp.* IV, 92.

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CHAPTER X

SIMONY IN THE EAST FROM 604 TO 814

John Eleemosynarius and simony — Prohibitions of simony by the council in Trullo — The seventh ecumenical council and episcopal appointments — Controversy regarding its fifth canon — Admission to monasteries — The patriarch Tarasius and his controversy with the monks of Constantinople — Conclusion.

THE documents in which we have to seek the history of the churches of the East contain but scanty information regarding traffic in spiritual things. It was probably due to the vehement discussions on doctrinal matters that the comparatively unimportant subject of simony was kept in the background. Moreover, the Eastern church was becoming more and more dependent on the state. As the people did not consider this condition of affairs an unnatural arrangement, it is not surprising that they paid but little attention to the instances in which, through favor, patronage or money, the civil power threw in the weight of its influence in favor of special candidates. That simony existed in the East must be admitted, even though the documents speak almost exclusively of resistance to the evil.

The church of Alexandria first demands our

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attention. John V, surnamed Eleemosynarius, was Catholic patriarch of the city from 609 to 616, a time when the needs of the Christian population almost drained the resources of the church treasury of Alexandria. John was ever ready to help the poor of both his own and other churches. But his desire to relieve the wants of his fellowmen did not make him overlook the necessity of deriving no profit from barter in sacred things. Simeon Metaphrastes tells us [1] that "He displayed a most ardent zeal to exclude all earthly profit from ordinations." This general assertion is illustrated by an incident narrated in the *Life of John* by Leontius, bishop of Neapolis, in Cyprus. The original of the work is lost, but a Latin translation by the Roman chronicler, Anastasius, is still preserved.[2]

Owing to the invasion of Palestine and Syria by the Persians (A. D. 614) and the ravages which they perpetrated, numerous Christians of these countries were forced to flee and took refuge in Egypt. So great was the liberality of the patriarch in relieving their destitution that the rich treasury of the church was soon exhausted. Unfortunately, at this very time a deficiency in

[1] *Vita Johan.* in *PG.* 114, 900; also in *AA. SS.* Jan. III, 131.

[2] It is printed in the *Acta Sanctorum Boll.* Jan. III, 108-131; also in Migne, *PL.* 73, 341-383.

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the rise of the Nile caused the distress to assume a general character, and famine soon set in at Alexandria. The patriarch now borrowed until no one was willing to make any further loans. Even then the evil had not yet abated; fugitives were still coming in. At this juncture, a wealthy citizen, Cosmas, sent John a communication which contained a very tempting offer. Cosmas having been married a second time was thus debarred by the canons from the reception of holy orders. In his message he applied for admission to the ecclesiastical state, declaring his readiness to give to Christ, through his Lordship, 200,000 bushels of wheat and 180 pounds of gold on condition that he would be raised to the diaconate. The patriarch summoned Cosmas, who came with the joyful anticipation that his request had been granted. He was to be disappointed in his expectation. In the private interview which followed, John admitted that the offer was most generous and very timely, but that it could not be accepted. "As to my needy brethren and the holy church," he continued, "God, who supported them before either of us was born, will also now support them, provided we live conformably to his teachings. He who multiplied the five loaves of bread, can also bless and multiply the ten measures of corn in my granary. Wherefore I repeat to you the words of the Acts of the Apostles: "Thou hast no part

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nor lot in this matter." Hardly had the would-be cleric been dismissed when news was brought that two large vessels belonging to the church had returned from Sicily with a cargo of wheat. The patriarch on receiving this intelligence fell on his knees and thanked God that he had not been permitted to sell His grace for money.[3]

In speaking of the second canon of the council of Chalcedon, we mentioned the fact that the synod in Trullo (692) renewed in an abridged form the inhibitions against simony which had been formulated in 451.[4] The Trullan synod also issued the following canon relative to the free distribution of communion:

"No one, be he bishop, priest, or deacon, distributing holy communion, shall exact from the communicant for his participation in the sacrament either money or any other compensation. For grace is not venal, and we do not impart the sanctification of the Spirit for a pecuniary consideration; but to worthy persons we distribute it in all sincerity. If any one of those who are on the roll of the clergy is found to exact compensation from the person to whom he distributes holy communion, he shall be deposed as an imitator of the error and crime of Simon Magus."[5]

[3] *AA. SS. l. c.* 116; see Neale, *Holy Eastern Church, Alex. II*, 52-54.

[4] Canon 22 of Trullo, Mansi, XI, 953.

[5] Canon 23, Mansi, *l. c.*

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With the seventh ecumenical council (second of Nice), 787, a campaign, as it were, opens against simony in the Eastern church. The assembled bishops first reminded the aspirants to the episcopal office of the doctrine proclaimed at an early date, that this dignity was not to be obtained from the civil power, but that the appointment to it lay in the hands of the ecclesiastical authority.[6] They then denounced those bishops who, more intent upon acquiring wealth than careful of the spiritual welfare of their flock, imposed ecclesiastical penalties upon their clergy or even closed churches to worship, for no other reason than the sake of filthy lucre.[7]

The fifth canon of the council speaks still more clearly of simony. Owing to the difficulty which its interpretation presents, it is necessary to quote the document in full before proceeding to discuss it:

"It is a sin unto death when men incorrigibly continue in their sin, but they sin more deeply, who proudly lifting themselves up oppose piety and sincerity, accounting mammon of more worth than obedience to God, and caring nothing for his canonical precepts. The Lord God is not found

[6] Canon 3, Mansi, XIII, 420-21.

[7] Canon 4, *ibid.* 421. See Van Espen, *Opera*, III, 431; the canon has been incorporated in the *Corp. Jur. Can.* c. 64, Causa XVI, Q. 1.

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among such, unless, perchance, having been humbled by their own fall, they return to a sober mind. It behoves them the rather to turn to God with a contrite heart and to pray for forgiveness and pardon of so grave a sin, and no longer to boast in an unholy gift. For the Lord is nigh unto them that are of a contrite heart. With regard, therefore, to those who pride themselves that because of their benefactions of gold they were ordained in the Church, and resting confidently in this evil custom (so alien from God and inconsistent with the whole priesthood), with a proud look and open mouth vilify with abusive words those who on account of the strictness of their life were chosen by the Holy Ghost and have been ordained without any gift of money, we decree in the first place that they take the lowest place in their order; but if they do not amend let them be subjected to a fine. But if it appear that any one has done this (*i. e.*, given money), at any time as a price for ordination, let him be dealt with according to the Apostolic Canon which says: 'If a bishop has obtained possession of his dignity by means of money (the same rule applies also to a presbyter or deacon) let him be deposed and also the one who ordained him, and let him also be altogether cut off from communion, even as Simon Magus was by me Peter.' To the same effect is the second canon of our holy fathers of Chalcedon, which says: If any bishop gives ordination in return for money, and puts up for sale that which cannot be sold, and ordains for money a bishop or chorepiscopus, or presbyter, or deacon, or any other of those who are

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reckoned among the clergy; or who for money shall appoint anyone to the office of oeconomus, advocate, or paramonarius; or, in a word, who hath done anything else contrary to the canon, for the sake of filthy lucre—he who hath undertaken to do anything of this sort, having been convicted, shall be in danger of losing his degree. And he who has been ordained shall derive no advantage from the ordination or promotion thus negotiated; but let him remain a stranger to the dignity and responsibility which he attained by means of money. And if any one shall appear to have acted as a go-between in so shameful and godless a traffic, he also, if he be a cleric, shall be removed from his degree; if he be a layman or a monk, let him be excommunicated." [8]

Two parts may be distinguished in this canon. The first part speaks of a class of men who prided themselves on their donations, to which they owed in some manner their ecclesiastical positions. In the second part the council clearly and undeniably speaks of simoniacal ordinations. The meaning of the first section of the canon is not so clear. Hefele [9] cites Zonaras, Balsamon, Christianus Lupus and Van Espen as of the opinion that it does not refer to simony. He himself endorses this view. The combination of such great and

[8] Mansi, XIII, 421-26; the translation is that of Percival in vol. XIV of Schaff-Wace's *Nicene and Post-Nicene Fathers*, 558-59.

[9] *Conciliengesch.* III, 476-477.

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numerous authorities and the silence about a divergent interpretation might easily lead us to suppose that unanimity exists in the understanding of the passage. But such is not the case. Among the Greek commentators, Aristenus does not share the opinion of the afore-cited scholars.[10] Moreover, Hefele erroneously mentions Van Espen among the writers who hold the opinion which he exposes. The learned Louvain commentator rather favors [11] the interpretation of Aristenus, and in this he agrees with Thomassin.[12] It may be said, therefore, that there are two different ways of understanding the first part of the canon.

Balsamon,[13] Zonaras,[14] Christianus Lupus [15] and Hefele [16] maintain that the proud ecclesiastics of whom the council speaks had made donations to the Church without any view to obtaining spiritual positions for their generosity. The Church, in grateful recognition of their benefactions, raised the donors to the ecclesiastical state. There was no guilt of simony whatever on either side; but the ecclesiastics who had thus been rewarded by the Church looked down with manifest

[10] *PG.* 137, 905.
[11] Van Espen, *Scripta Omnia*, III, 432-33.
[12] *Vetus et Nova Discip.* tom. VII, 465.
[13] *PG.* 137, 901-904.
[14] *Ibid.* 137, 904-905.
[15] *Synod. Gen. et Prov. Decreta*, Pars. IIda, 1118.
[16] *l. c.*

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contempt upon those of their colleagues who were unable to make any such endowments. And it is this conduct, they say, that is criticised in the canon.

To this interpretation Aristenus, Van Espen and Thomassin take exception, and it would seem rightly so. It being universally admitted that in the second part of the canon there is question of exchanging the spiritual for the temporal; it is more logical to apply a similar meaning to the first part and understand that the donations were made to obtain ecclesiastical positions. The citation of the scriptural text with which the canon opens: "It is a sin unto death," etc., would seem to apply rather to commission of sin in making the donations themselves than in glorying in an action that, after all, was worthy of commendation. Morever, the expression "unlawful gift" (*αθεσμῳ δοσει*) almost forces us to admit the idea of traffic. The gift was unlawful because it was made to obtain an ecclesiastical appointment. On the contrary, a donation in favor of a church is not an unlawful gift, but a very commendable act of generosity and religion. To say with Balsamon that the gift becomes unlawful through the subsequent pride of the giver is to have recourse to a forced and unnecessary metaphor.

On the other hand, the canon is not very in-

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telligible if both parts of it relate to simoniacal ordinations. It would amount to saying that the bishops present at Nice decreed two different penalties for one and the same offence in one and the same canon. The first part, therefore, should be referred, it would seem, to persons who had unlawfully acquired an ecclesiastical standing but not ordination, while the remainder of the document applies to ecclesiastics who had bought ordination. The original Greek text itself suggests this distinction, because the usual word for ordination, χειροτονία (imposition of hands), does not appear in the first part of the canon. The penalty varies according to the nature of the offence: men who had bought an ecclesiastical position but not ordination are punished with removal to last place and, if necessary, a fine; deposition is inflicted on those who had purchased ordination itself.

In the nineteenth canon the council completes its legislation on simony by decreeing punishment, as was done in the West, against the exaction of gifts for admission to a monastery. The canon reads:

"The abomination of filthy lucre has made such inroads among the rulers of the churches, that certain of those who call themselves religious men and women, forgetting the commandments of the Lord have been altogether led astray, and for the sake of money have received those presenting themselves for

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the sacerdotal order and the monastic life. And hence the first step of those so received being unlawful, the whole proceeding is rendered null, as says Basil the Great. For it is not possible that God should be served by means of mammon. If therefore, anyone is found doing anything of this kind, if he be a bishop or hegumenos, or one of the priesthood, either let him cease to do so any longer or else let him be deposed, according to the second canon of the Holy Council of Chalcedon. If the offender be an abbess, let her be sent away from her monastery, and placed in another in a subordinate position. In like manner is a hegumenos to be dealt with, who has not the ordination of a presbyter. With regard to what has been given by parents as a dowry for their children, or which persons themselves have contributed out of their own property, with the declaration that such gifts were made to God, we have decreed, that whether the persons in whose behalf the gifts were made, continue to live in the monastery or not, the gifts are to remain with the monastery in accordance with their first determination; unless indeed there be ground for complaint against the superior." [17]

In commenting on this canon, Balsamon remarks that an attempt was made to limit its application to the monks who led a common life. Those who lived in separately constructed cells,

[17] Mansi, XIII, 435-38; Hefele, III, 481; the translation is Percival's, *op. cit.* 567.

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it was claimed, were not subject to its rulings. In answer to this contention, the same author observes that the law applies to all monks, because it makes no distinction between class and class.[18]

The council had hardly concluded its sessions when a sharp controversy arose between the patriarch of Constantinople, Tarasius, and a large number of Eastern monks. The monks, though opposed to iconoclasm like Tarasius, nevertheless bitterly denounced his policy, accusing him of too great leniency in reinstating in their former positions bishops who had opposed the veneration of images or were guilty of simony. Sabas and Theoctistus were the two leaders of the opposition party. The patriarch was charged with having permitted simony in ordination,[19] and with having restored to their offices after but one year's penance persons who had ordained or been ordained in a simoniacal manner.[20] Tarasius defended himself in a letter to the abbot John, in which he relates that, at the council which had just been held, numerous monks entered a complaint to the effect that money played a part in the consecration of most Eastern bishops. The contents of the complaint, he asserts, were no

[18] Balsamon, *PG.* 137, 981.

[19] Theod. Stud. *Epp.* Lib. I, 53, *PG.* 99, 1104-1105.

[20] Theod. Stud. *Epp.* Lib. I, 38, *PG.* 99, 1044; and Lib. I, *Ep.* 53, *ibid.* 1104.

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revelation to him as he was aware of the existence of this state of things. But it is not true that he holds communion with such men, who are priests only in name. They may, of course, plead that they have done penance and obtained forgiveness from God. Not being a Novatian, and knowing of instances where others who were guilty of ecclesiastical offences had obtained well-merited pardon, Tarasius does not exclude such offenders from penance; but even their penance does not entitle them to reinstatement in their previous functions, and he does not reinstate them, because the apostle Paul desires an irreproachable bishop.[21]

It was probably about this time that Tarasius wrote his letter to Pope Hadrian, which, though apparently composed in defence of his conduct, is in reality the first anti-simoniacal treatise which we possess.[22] This treatise contains a refutation of simony drawn from the Scriptures, the Fathers and the councils, and has found a place in both eastern and western collections of ecclesiastical law. It is not an original work, but a reproduction of documents issued anterior to the time of Tarasius. Thus it cites the thirtieth canon of the Apostles, the second canon of Chalcedon, the

[21] The letter is given in Migne, *PG.* 98, 1452-1460, and in Mansi, XIII, 471-479.

[22] Mansi, XIII, 461-472.

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decree of Gennadius and other enactments which have already been studied in this work: a circumstance which will dispense us from giving a detailed account of it here.

The monks, however, were not content with these protestations of innocence. They contended that, though Tarasius had at first refused to readmit simoniacal bishops to their functions after one year's penance, he had subsequently yielded to the insistent pleading of the empress in their behalf.[23] The opposition was extended to the seventh general council, which seemed in its first session to approve Tarasius' policy.[24] The ecumenical character of this council was denied, because it was not representative of the universal church and had not been approved by Rome. The papal legates, it was asserted, had not been sent to the East to attend the council, and Theodore of Studium went so far as to maintain that, on their return to Rome, they had been deposed by the pope for having transgressed their power.[25] But while the other monks of the opposition party had seceded from the communion of Tarasius, the same Theodore had continued in ecclesiastical relations with him and had even received priestly ordination at his hands. On being asked to ex-

[23] Theod. Stud. *PG.* 99, 1044.
[24] Mansi, XII, 1022 seqq.
[25] Theod. Stud. *PG.* 99, 1044-45.

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plain this apparent contradiction between his words and his acts, the celebrated monk admitted that Tarasius was orthodox and had been consecrated without simony; also that he had no certain proof of the charges brought against the patriarch and which the latter denied. Moreover, he was at the time under religious obedience, and Tarasius was recognized by other churches and by the Roman apocrisiarii.[26]

It is difficult to state just how much, if any, foundation there was for the accusations brought against Tarasius. At a later date Theodore of Studium passed a less severe judgment on him and admitted the ecumenical character of the second council of Nice.[27] The biographer of Tarasius speaks with complacency of the vigorous opposition displayed by his hero to the simoniacal evil.[28] Yet it is possible that the admittedly meek character and dispositions of the patriarch led him to grant too easy a pardon on some occasions, especially when pressure was brought to bear upon him by the imperial court.[29]

It is with this treatment of events at Constantinople in the time of Tarasius that we shall con-

[26] *PG.* 99, 1045, 1101-1108.

[27] Theod. Stud. *Epp.* Lib. II, 127, *PG.* 99, 1412.

[28] *AA. SS.* Feb. III, 587; cfr. Baronius, Ad ann. 787, n. 60.

[29] On Tarasius and this controversy with the monks, see Hergenröther, *Photius*, I, 250-52; Hefele, *Conciliengesch.* III, 484-85.

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clude our study of simony in the first eight centuries of the Christian era. We have been obliged to record many deplorable transgressions, many shameful transactions. That some of these should have existed does not cause much surprise to the careful and impartial student of history. A human society of the vast proportions of the Christian Church is never without some minor evils. It was not likely that all the newly-made converts from corrupt Roman paganism or German barbarism would fully grasp and live up to all the high moral principles of their new faith immediately after their conversion. The transformation of the individual, and much more the civilization of nations, demands time, also patient and continuous efforts. The Church necessarily suffered from the conflict, disorder and confusion, which prevailed during, and immediately after, the period of the invasion of the Barbarians. Not only did she suffer in things material; but her nature, her powers, her sacraments were misunderstood. Men arose and became candidates for bishoprics who did not sufficiently understand the obligations even of the ordinary Christian life. The frequent and persistent occurrence of the sin of simony finds a partial explanation in these ecclesiastico-political and social conditions. But if the commission of the sin was persistent, far more persistent were the

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vigilant efforts of the Church to suppress it. Prohibition after prohibition was issued to uproot this "detestable crime, this species of heresy." Councils, both general and provincial, insisted upon integrity among the sacred ministers and other officials connected with the administration of church affairs. Ecclesiastical and civil rulers enacted laws forbidding, under the severest penalties, every sort of traffic in sacred things. Distinguished churchmen called attention to the gravity of the offence. Not only was the sin condemned; its very appearance was to be banished from the sanctuary.

In spite of this decidedly pronounced opposition, the time of Charlemagne did not mark the end of the simoniacal evil. It has been seen how the relations between the ecclesiastical and the civil powers favored, in a way, venal abuses. For centuries after Charlemagne the state was to continue in the exercise of great influence over church affairs. At the same time the power of the bishops, which was very considerable during the period studied, was to grow still greater: the episcopal office became more and more a civil as well as an ecclesiastical position. Some of the bishops became comparatively important territorial princes. While the Church had to defend her own interests in their appointment, the state could not be denied all share in their selection. Under such circum-

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stances, it could not be surprising that noble families endeavored by lawful and frequently unlawful means, by pressure, intimidation and corruption, to place their own members on the episcopal throne. Church and state continued to proscribe venality in the acquisition of ecclesiastical offices; it was of no avail. Simony ultimately developed to the extent of being one of the most disastrous abuses in the Christian Church. The eleventh century became, so to speak, its classical period. But in that very century, one of the most calumniated, most hated, and at the same time most admired of popes, Gregory VII, resumed on a grander scale, in the ever-memorable Investiture-Contest, that struggle against simony which we have seen carried on with so much vigor by his first namesake in the Papal Chair.

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INDEX

Abel, 203.
Acacius, 131 seq.
Acoemetae, 132.
Adeodatus, 192, 194.
Aetherius, 97 seq.
Agapitus, 84, 85.
Agatho, 201.
Agilbert, 212 seq.
Agilulf, 150.
Agnellus, 148 seq.
Agroecius, 53.
Aix-la-Chapelle, council of, 221.
Albinus, 99.
Alchima, 92.
Alcuin, 205, 210, 211, 223.
Ambrose, 1, 56.
Ammianus Marcellinus, 33.
Anastasius, of Antioch, 136.
Anastasius, of Corinth, 177 seq.
Anastasius, of Thessalonica, 64.
Anastasius, chronicler, 84, 225.
Anastasius, emperor, 80, 133 seq.
Anastasius, Sinaita, 175.
Anastasius II, pope, 80.
Anomoeans, 36.
Anthimus, 86.
Antioch, council of, 62.
Antiochus, 135.
Antoninus, of Ephesus, 39 seq.
Antoninus, subdeacon, 179 seq.
Apollinaris, 92.
Apostles, canons of, 64 seq., 234.
Aprunculus, 94.
Aregius, 165, 167.
Argentius, 187, 190 seq., 193.
Arians, 34 seq., 42.
Aristenus, 231.
Armasius or Armatus, 72.
Arno, 205.
Athalaric, 82, 118.
Athanasius, 34 seq.
Audoenus, 218.
Augustine, 60.
Auxerre, council of, 169.
Avitus, 97.

Balsamon, 230 seq.
Baluze, 110.
Baronius, 171.
Basil 1, 63 seq., 234.
Basilius, 79.
Bathilde, 206.
Belisarius, 86.
Benedict II, 201.
Beregisilus, 96.
Bettolenus, 207.
Boniface I, pope, 79.
Boniface II, 82 seq., 119.
Boniface, Saint, 203 seq.
Bonneuil, council of, 218 seq.
Braga, synods of, 128, 222.

Digitized by Google

Brunehilde, 156, 158, 161, 165, 168.

Caesarius, 103, 115, 121.
Callinicus, 182 seq.
Candidus, 155.
Carthage, council of, 31, 192 seq.
Castorius, 152.
Cato, 95 seq.
Cautinus, 95 seq.
Cecilian, 28.
Cenwalh, 212.
Chahapivan, council of, 142.
Chalcedon, council of, 48-50, 65 seq., 85, 109 seq., 131, 133, 137, 229, 234, 237.
Châlon-sur-Saône, synods of, 51, 169, 218 seq., 220.
Charlemagne, 204, 210, 211, 240.
Charles Martel, 209.
Childebert I, 122, 124, 125.
Childebert II, 100, 156, 159, 160.
Chramnus, 96.
Claudius, 90.
Clematius, 178.
Clermont, councils of, 122, 125.
Clichy, council of, 217.
Clothaire II, 156, 168, 216 seq.
Clovis I, 90 seq.
Clovis II, 218.
Colluthus, 34.
Columbanus, 158.
Columbus, 191, 195.
Conon, 201.
Constantine, 30, 32, 35.
Constantinople, councils of, 68, 136.
Constantius, of Milan, 183.
Constantius, of Numidia, 186.
Constantius, deacon, 150.
Cosmas, 226.
Cyriacus, 165 seq., 171.
Cyril, 45, 48.
Cyrus, 47.

Dagobert, 158.
Damasus, 33.
Desiderius, of Eauze, 101.
Desiderius, of Vienne, 161.
Dinamius, 99.
Dionysius Exiguus, 65.
Dioscorus, of Alexandria, 49.
Dioscorus, deacon, 83.
Domnus, 47.
Donus, 152.
Drey, 64 seq.
Ducheane, 81, 85, 87.
Dudden, 194.
Dwin, council of, 142.

Eligius, 218.
Elvira, canon of, 60.
Emerita, synod of, 222.
Emilian, 114.
Ennodius, 81 seq.
Ephesus, council of, 42.
Ephesus, robber-synod of, 48.
E herius, 161.
Eucaristus, 87 seq.
Eufrasius, bishop, 92.
Eufrasius, priest, 96 seq.
Eulalius, 79.
Eulogius, of Alexandria, 176 seq.
Eulogius, of Edessa, 47.
Euphemius, 178.

Digitized by Google

Euphronius, 52, 53.
Eusebius, of Caesarea, 26, 27.
Eusebius, of Pelusium, 45, 50.
Eusebius, of Valentinianopolis, 39 seq.
Eustathius, 46.
Eutychians, 48.
Eutychianus, 135.
Evagrius, 136.
Ewald, 185, 194.

Facundus, 86 seq., 110.
Faustus, 88.
Felicissimus, 187.
Felix, of Clermont, 207.
Felix III, pope, 80, 131 seq.
Felix IV, 82 seq.
Festus, 80 seq.
Firminus, 97.
Firmus, 104.
Flavian, 46.
Forojulium, council of, 216.
Frankfort, council of, 219.
Fredegundis, 156, 166.
Funk, 65.

Galatia, 69.
Gallus, 93 seq., 102.
Gams, 172, 211.
Gaza, council of, 135.
Gelasius, 87, 113.
Gennadius, of Marseilles, 112.
Gennadius, exarch, 188 seq., 194.
Gennadius, patriarch, 68, 137, 237.
Genseric, 103 seq.
Gerontius, 43.
Gervald, 208.
Giezi, 58, 142.
Gildas, 105 seq.
Gitton, 18.
Glycerius, 73; edict of, 74 seq.
Gregory I, 1, 146 seq., 200.
Gregory VII, 241.
Gregory, the Illuminator, 142.
Gregory, Nazianzen, 37, 56.
Gregory, of Tours, 91 seq.
Grimo, 203.
Grisar, 81.
Guntram, 100 seq., 156.

Hadrian, 236.
Hartmann, 81, 121, 194.
Hauck, 101.
Hefele, 194, 230 seq.
Hegesippus, 23.
Helladius, 43.
Heraclius, 90.
Hesychius, 41.
Hilarion, 57.
Hilary, 36.
Hilgenfeld, 18.
Himelco, 73, 77.
Hodgkin, 118.
Honoratus, 179 seq.
Honorius, 79.
Hormisdas, deacon, 111.
Hormisdas, pope, 84, 85, 126.
Hunneric, 104.

Ibas, 47 seq., 66.
Impetratus, 94.
Irenaeus, 23.
Isaac, 142.
Isidore, of Pelusium, 44 seq.

Digitized by Google

Isidore, of Seville, 108.

Januarius, 151.
Jerome, 1, 32, 36, 59.
John, of Biclaro, 108.
John, of Corinth, 178.
John, of Prima Justiniana, 177.
John, of Tarragona, 126.
John Chrysostom, 1, 39 seqq., 65.
John, the deacon, 154, 181, 197.
John Eleemosynarius, 225.
John Scholasticus, 141.
John II, pope, 84, 118.
John II, the Recluse, 134.
Josephus, 18.
Jovinus, 99.
Judas, 17, 64, 106, 142.
Julian, 109 seq.
Justin, Martyr, 18, 19, 23.
Justin II, emperor, 136 seq.
Justinian I, 31, 83, 105, 116, 135, 137 seq., 173 seq.

Kranzfelder, 22.
Krusch, 207.

Laban, 101.
Laurentius, antipope, 80 seq.
Laurentius I, of Milan, 81.
Laurentius II, of Milan, 150.
Leinz, 2.
Le Camus, 18.
Leo I, emperor, 50; edict of, 72.
Leo I, pope, 50, 64, 109.
Leo III, 205.
Leo, of Sens, 90.
Leontius, of Egypt, 44.
Leontius, of Neapolis, 225.
Liberatus, 85.
Liberius, 36.
Licinius, 30.
Lucilla, 28.
Lucius, 46.

Mainz, council of, 221.
Majorinus, 28.
Mann, 184.
Mansi, 194 seq.
Mantua, capitulary of, 214.
Maras, 47.
Marcellus, 99 seq.
Marcian, 49.
Marinian, 148 seq., 182 seq.
Maron, 45.
Martinianus, 45.
Maximianus, 187, 190 seq., 193.
Maximus the Cynic, 37 seq.
Maximus, of Salona, 180 seqq.
Maurice, 188.
Meletian bishops, 35.
Mennas, 138 seq.
Mensurius, 28.
Milan, edict of, 30.
Misenus, 131 seq.
Mustelus, 186 seq.

Narses, 89, 117.
Natalis, 179.
Nereida, 151.
Nerses II, 142.
Newman, 36.
Nicaea, councils of, 62, 228, 238.
Nicetius, 217.
Numidia, council of, 193 seq.

Digitized by Google

Odoacer, 79 seq., 111.
Orange, councils of, 121 seq., 124.
Ostrogoths, 78.

Palladius, cleric, 46.
Palladius, of Helenopolis, 41.
Pantaleo, 188.
Paris, council of, 171, 216 seq.
Paschal, 202.
Patiens, 51.
Patroclus, 51.
Pansophius, 40.
Paul, of Alexandria, 135.
Paul, of Heraclea, 39.
Paul, of Samosata, 27.
Paul, deacon, 178.
Paul II, of Châlon, 51.
Paulinus, 191, 193.
Pelagius I, pope, 1, 87, 89, 116 seq.
Pelagius II, 87.
Peter, apostle, 16, 17, 20-24, 65, 66, 106, 175.
Peter, of Alexandria, 38.
Peter, of Apamea, 135 seq.
Peter, of Majuma, 50.
Peter Mongus, 131 seq.
Pfeilschifter, 81.
Philip, 19 seq.
Placidina, 92.
Platys, 201.
Praetextatus, 33.
Proclus, 46.
Projectus, 207 seq.
Prosmonarii, 67.
Prosper Tiro, 51.
Protadius, 217.
Proterius, 49 seq.
Psoilus, 135.

Quesnel, 110.
Quintianus, 92 seq.

Ragnimodus, 158.
Remigius, of Bourges, 100.
Remigius, of Rheims, 90.
Rheims, council of, 217.
Rome, synods of, 111, 113, 215.
Rudborne, 213.
Rusticus, 110.

Sabas, monk, 235.
Sabas, monk, of Palestine, 134.
Sagittarius, 100.
Salventius, 120.
Samuel, 47.
Sardica, canons of, 62.
Schmiedel, 17.
Seleucia-Ctesiphon, council of, 144.
Semo Sancus, 23.
Sens, council of, 169.
Sergius, 202.
Severus, 86.
Sidonius, 51 seq.
Silvanus, 29.
Silverius, 84 seq.
Simeon Metaphrastes, 225.
Simon, of Cyprus, 18.
Simon Magus, 1, 16; history of, 17 seqq., 58, 59, etc.
Simony, origin of word, 1, 17; meaning of, 2 seq.; gravity of, 6 seq.; penalties against, 8 seq.; opposed to natural law, 15 seq.
Simplicius, of Bourges, 53.

Digitized by Google

Simplicius, pope, 79 seq., 131.
Siricius, 55.
Solofacialus, 131.
Sulpicius I, of Bourges, 100.
Sulpicius II, of Bourges, 206.
Sulpicius Severus, 59.
Syagrius, 161, 165.
Symmachus, 80 seq., 111, 113, 115, 121.
Syncletius, 41.

Tarasius, 235 seq.
Tertullian, 25.
Theobald, 95.
Theoctistus, 235.
Theodat, 84 seq.
Theodebert I, 122.
Theodebert II, 156, 166, 168.
Theodora, 85.
Theodore, archpriest, 202.
Theodore, biographer, 133.
Theodore, of Mopsuestia, 47.
Theodore, of Studium, 237 seq.
Theodoret, 34.
Theodoric the Great, 81, 82, 92 seq., 122.
Theodoric II, 156, 166, 168.
Theodosius, of Auxerre, 90.
Theodosius, of Contantinople, 86.
Theodosius, of Rodez, 98.
Theodosius, the Cœnobiarch, 133 seq.
Theon, 46.
Theophanes, 134.
Thomas Aquinas, 2, 15.
Thomas, of Corinth, 178.
Thomassin, 231 seq.
Timothy Ailuros, 49 seq.
Toledo, councils of, 172, 211 seq., 222, 223.
Tours, council of, 125.
Transobadus, 98.
Trullo, council in, 227.
Tübingen School, 17.

Usener, 134.

Valesius, 34.
Van Espen, 230 seq.
Vergilius, of Arles, 158 seq., 161.
Victor, of Numidia, 191, 192.
Victor, of Tunnunum, 104.
Victor Vitensis, 104.
Vigilius, 85 seq., 135.
Vincentius, 187.
Vitalis, of Milan, 89.
Vitalis, of Truentum, 131 seq.
Viventius, 93 seq.

Waldo, 102.
William of Malmesbury, 212.
Wini, 212 seq.
Wisbaum, 154.
Wulfhere, 212 seq.

Zachary, 203 seq.
Zeck, 134.
Zeno, 80, 131.
Zerophilian investigation, 29.
Zonaras, 230 seq.
Zosimus, 45.

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THESES

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THESES

I

The Eucharistic liturgy of the Christian Church, in its earliest form, was largely derived from the ritual of the Synagogue.

II

For a considerable period in the early history of the Western Church the liturgical language in common use was Greek.

III

The attitude of St. Cyprian towards Pope St. Stephen in the controversy over the rebaptism of the "Lapsi" does not prove his rejection of the supremacy of the bishop of Rome.

IV

There is no sufficient reason for calling into question the sincerity of Constantine's conversion to the Christian religion.

V

The charge of unjust persecution made against the

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Church on account of the condemnation and execution of Priscillian is groundless.

VI

The writings, especially the correspondence, of Gregory the Great contain admirable principles of Christian political economy.

VII

The political, social and economic conditions of Oriental Christendom, particularly Syria and Egypt, explain, to a great extent and in a natural way, the rapid propagation of Islam.

VIII

Previous to the ninth century, one of the causes of simony in the Christian Church was the influence of the civil authority in ecclesiastical affairs.

IX

Another indirect cause of simoniacal abuses in the same period was the extensive power (social, economic, political) of the Christian bishops.

X

The Crusades exercised directly and indirectly an important influence on the social and economic development of Western Europe.

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XI

The Manichean origin of the Cathari is supported by weighty, though not absolutely decisive arguments.

XII

It is a gross historical error to assert, like Charles Molinier, that the doctrine of the Cathari and that of the Catholic Church regarding marriage are identical. (*Rev. Hist.* XXV, 1884, p. 412.)

XIII.

In Clement VI (1342-1352) the Avignon Papacy found a fairly typical representative.

XIV.

The so-called Western Schism, inasmuch as it prejudiced variously public opinion against the Papacy, may be reckoned among the causes of the religious revolution led by Martin Luther.

XV

The success of the Reformation in Germany was chiefly owing to the self-interested support given the movement by secular princes.

XVI

In general, the lives and characters of the Protestant Reformers disprove sufficiently their claims to a divine mission.

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XVII

Whatever may be thought of its immediate results, the pontificate of Adrian VI (1522-1523) opened the way to genuine and lasting reforms in ecclesiastical discipline and administration.

XVIII

The conduct of the French King Francis I deterred Pope Clement VII from summoning a general council.

XIX

The divine vitality of the Catholic Church was never better manifested than by the establishment and efficiency of the new religious orders and congregations which stemmed the tide of the Protestant Reformation.

XX.

The Peace of Augsburg (1555), though it did not attain its purpose of pacifying Germany, marks nevertheless an important epoch and may be said to close the first phase in the history of the Reformation.

XXI

The Thirty Years' War not only entailed political ruin on Germany, but was also disastrous for the Catholic Church in that land.

XXII

It is not true that progress, social, political, intel-

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lectual and moral owes more to Protestantism than to Catholicism.

XXIII

The French Revolution was hastened by, and received its actual form, through the wide dissemination of deistic and rationalistic literature.

XXIV

The "Civil Constitution of the Clergy" was an unjust encroachment on the rights of the Church and a schismatic act, whose chief purpose was to justify Gallicanism and Jansenism, and to avenge their repeated condemnation by the Holy See.

XXV

The educational reforms introduced by Johann Ignaz von Felbiger (1724-1788) in German-speaking lands, though not commendable in every respect, were nevertheless productive of good results, and inaugurated the fruitful labors of Overberg, Hirscher, Sailer, and others.

XXVI

Doctrinam concilii Vaticani, juxta quam humanae rationi rectae evolutae adscribitur potentia physica ad Deum rerum omnium principium et finem ex rebus creatis certo cognoscendum, contra Modernistas qui rationis virtutem phaenomenis includi nec ea praetergredi posse autumant, defendendam suscipimus. (Encyc. *Pascendi Dominici Gregis,* Denzinger, 2072.)

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XXVII

Doctrina concilii Tridentini iuxta quam totus Adam per praevaricationis offensam secundum corpus et animam in deterius commutatus fuit, nocuitque non sibi soli, sed etiam suae propagini universae, principiis scientiae veri nominis nequit dici adversa.

XXVIII

Theoria Privationis, secundum quam naturalia permanserunt integra, non tamen sine vera deordinatione ab oeconomia divinitus stabilita extra quam homo nascitur donis gratuitis divinis destitutus, rationem huius peccati transmissi optime reddit.

XXIX

Christus Jesus Dominus Noster vere ac proprie Deus est.

XXX

Dari instans quo conscientia sui uti Dei in anima Christi inceperit documentis Novi Testamenti ostendi nequit; historico proinde fundamento carent variae illae derivationis theoriae quae asserunt Christum non ab initio fuisse conscium sui, sed conscientiam suae dignitatis, suaeque usque ad mortem missionis nonnisi mediate ac gradatim ex perpensis circumstantiis sibi acquisivisse.

XXXI

Veritas et sinceritas scientiae experimentalis in

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Christo ac proinde vera quoad eamdem progressio, nullatenus minuuntur, per amplitudinem altioris scientiae, puta, beatae vel infusae, quam Domino vindicamus.

XXXII

Celeberrimo loco (Marci, x, 45; Matthaei, xx, 28) Christus veram relationem inter mortem suam et remissionem peccatorum declaravit ac stabilivit; nec dici potest, prout placet recentioribus quibusdam Subjectivismi labe infectis sustinere, valorem hunc objectivum, morti suae a Christo adscriptum, doctrinae salutis ab Ipso in parabolis enuntiatae adversari.

XXXIII

Eamdem relationem Christus in ultima coena solemniter expressit.

XXXIV

Negamus proinde Sancto Paulo veluti primo veroque auctori doctrinam salutiferae mortis Christi esse adscribendam.

XXXV

Conceptum satisfactionis summe moralem exhibet systematica illa Redemptionis doctrina ab Angelico Doctore exposita; nec verum est quod plures recentiores contendunt, notiones insociabiles in hac pulcherrima synthesi simul congeri atque conjungi.

XXXVI

Pulcherrimam illam a Sancto Doctore traditam

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gratiae analysim, quae donum illud exhibet per modum qualitatis animam in suo esse intrinsece perficientis, tota amplitudine sua defendendam suscipimus.

XXXVII

Hanc notionem gratiae veluti doni intus suscepti, alienam omnino a mente Sancti Pauli fuisse atque a Sancto Augustino adinventam, negamus.

XXXVIII

Reali sed proportionali tantum sensu intelligenda venit doctrina profunda illa juxta quam gratia a Sancto Thoma veluti naturae divinae participatio definitur.

XXXIX

Nec dici potest cum recentioribus quibusdam hanc deificationis doctrinam ex philosophis paganis depromptam fuisse.

XL

Huic autem gratiae divinae additur nobilissimus omnium virtutum comitatus quae in animam cum gratia sanctificante simul infunduntur, quibusque anima ad supernaturaliter operandum disponitur.

XLI

Lex est regula et mensura non physice necessitans nec mere dirigens ac suadens sed obligans, id est, voluntatem absolute astringens ad aliquid agendum vel omittendum.

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XLII

Existit veri nominis lex moralis, omnibus legibus humanis anterior, superior, universalior, quae idcirco naturalis vocatur quia natura indita est a Summo eius Auctore, et ab ipsa natura docetur.

XLIII

Norma proxima discriminans actiones humanas rectas a pravis, est ipsa humana natura complete et adaequate spectata, remota autem norma est divina essentia.

XLIV

Per legem supernaturalem Jesus Christus "praecepta morum naturalia perfecit et ad summum adduxit declarando, interpretando, sanciendo." (Leo XIII, *Tametsi.*)

XLV

"Quoniam ad perdendas familias, frangendasque regnorum opes nihil tam valet quam corruptela morum, facile perspicitur prosperitati familiarum ac civitatum maxime inimica esse divortia, quae a depravatis populorum moribus nascuntur, ac teste rerum usu, ad vitiosiores vitae privatae ac publicae consuetudines aditum januamque patefaciunt." (Leo XIII, Encycl. *Arcanum.*)

XLVI

Manente vinculo multae sunt causae ob quas "separatio quoad torum seu quoad cohabitationem ad certum incertumve tempus" fieri potest.

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XLVII

Ecclesia bona temporalia potest acquirere et possidere et quidem jure naturali et divino.

XLVIII

Solido caret fundamento opinio quae Romano Pontifici denegat ius suum efficaciter designandi successorem.

XLIX

Jurisdictio quam in commissas sibi dioeceses habent episcopi, ipsis immediate a Romano Pontifice confertur.

L

Vicarii Generalis potestas se extendit ad omnia quae pertinent ad ordinariam jurisdictionem episcopalem, iis exceptis quae vel a jure, vel ab episcopo specialiter reservantur.

LI

" Licet etiam longaevae consuetudinis non sit vilis auctoritas, non tamen est usque adeo valitura, ut vel iuri positivo debeat praejudicium generare, nisi fuerit rationabilis et legitime sit praescripta."(Cap. XI, *De Consuetudine.*)

LII

Sponsalia, quae non juxta normam Decreti "Ne temere " contrahunter, nullos sortiuntur effectus sive in foro externo sive in interno.

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LIII

The deutero-canonical books of the Old Testament were regarded as sacred by the early Church.

LIV

There are many weighty reasons to call into question the geographical universality of the Deluge.

LV

We deny the value of the arguments adduced by certain critics to prove the biblical narrative of Samson a mere legend or myth.

LVI

The seeming contradiction between the narrative of Josue, x, 12-13, and the teaching of astronomy offers no real objection to the doctrine of Biblical inerrancy.

LVII

Psalm II is Messianic in its import.

LVIII

The theory of subsequent inspiration, that a book written by purely human endeavor becomes Sacred Scripture on the subsequent approbation of the Holy Ghost, or on the declaration of the Church certifying that the book contains revelation without error, is false.

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LIX

The council of Trent by declaring the Vulgate authentic, did not thereby prefer it to the original texts, or the ancient Oriental versions; but only to the other Latin versions then in circulation; neither did the council forbid the use of the original texts and versions, especially for private and critical purposes.

LX

The word "authentic" in the decree "Insuper" of the council of Trent is to be taken in its juridical sense to mean authoritative—not in its modern historico-critical sense to mean genuine.

LXI

The decree "Lamentabili" rightly condemns the opinion that "Divine inspiration is not to be extended to the whole of Sacred Scripture in such a way as to render each and every part immune from all error." (Prop. XI.)

LXII

. . . "It is not lawful for the Catholic exegete to solve the difficulties occurring in certain texts of Sacred Scripture, which appear to relate historical facts, by asserting that in them there is question of a tacit or implicit quotation of a document written by a non-inspired author and that the inspired author did not at all intend to approve or adopt all these

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assertions, which cannot, therefore, be held to be free from error;

"Unless, due regard being had for the sense and judgment of the Church, it is proved by solid arguments: 1) that the sacred writer has really quoted the sayings or documents of another; and 2) that he has neither approved nor adopted them, so that he may be properly considered not to be speaking in his own name." (Decision of Bibl. Commission, March 27, 1905, in *Rev. Bibl.*, 1905, p. 161.)

LXIII

The "Old Latin" translation of the Bible probably originated in Northern Africa.

LXIV

Revelation cannot be rejected on the ground that it is impossible.

LXV

Miracles possess undoubted evidential value in establishing the fact of revelation.

LXVI

It is a mistake to hold that if miracles took place our confidence in the uniformity of nature's laws would be seriously shaken.

LXVII

To reject the belief in revealed religion on account

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of mysteries therein contained cannot approve itself to the unprejudiced mind.

LXVIII

The Church of Christ having been established as a visible legal organization centred in a visible authority of divine institution, is characterized by the essential mark of unity.

LXIX

This note is to be found realized in the Roman Catholic Church alone.

LXX

Among the natural causes favoring the propagation of Christianity none contributed more efficiently than the fact that the Jewish people were scattered throughout the Graeco-Roman world.

LXXI

The irreconcilable opposition between the Christian and pagan view of human life and destiny rendered their coexistence impossible.

LXXII

The Decian persecution may be said to have produced at least indirectly many good effects in the Christian Church.

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LXXIII

Among the many writings which have come down to us bearing the name of St. Clement of Rome, it is more likely that that known as I Clement to the Corinthians can alone be ascribed to him with absolute certainty.

LXXIV

It can be proved directly and indirectly that Hippolytus is the author of the "Philosophumena."

LXXV

The conduct and writings of Eusebius of Cæsarea give evidence that he was friendly towards the Arians and favored at least for a time their doctrine.

Vidit Sacra Facultas:
JOANNES T. CREAGH, J. U. D., p. t. Decanus.
CAROLUS F. AIKEN, S. T. D., p. t. a Secretis.

Vidit Pro-Rector Universitatis:
THOMAS J. SHAHAN, S. T. D.

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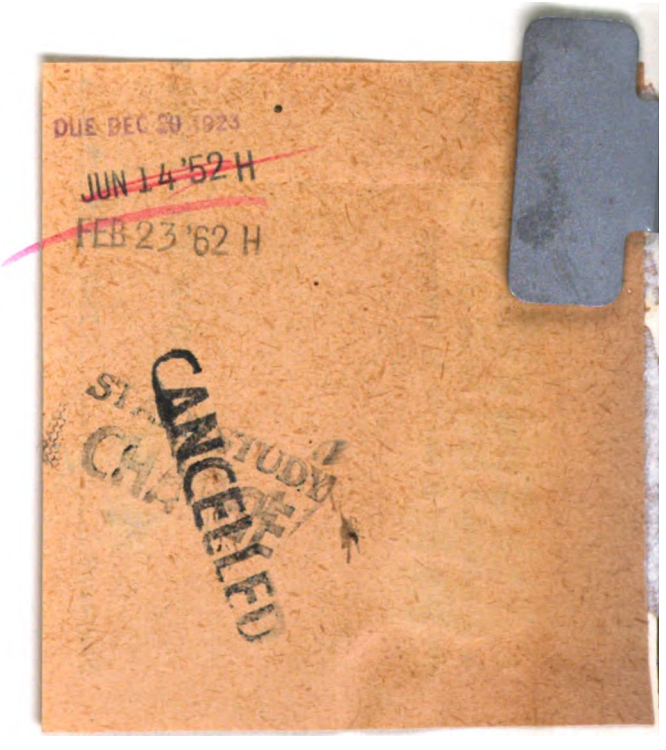
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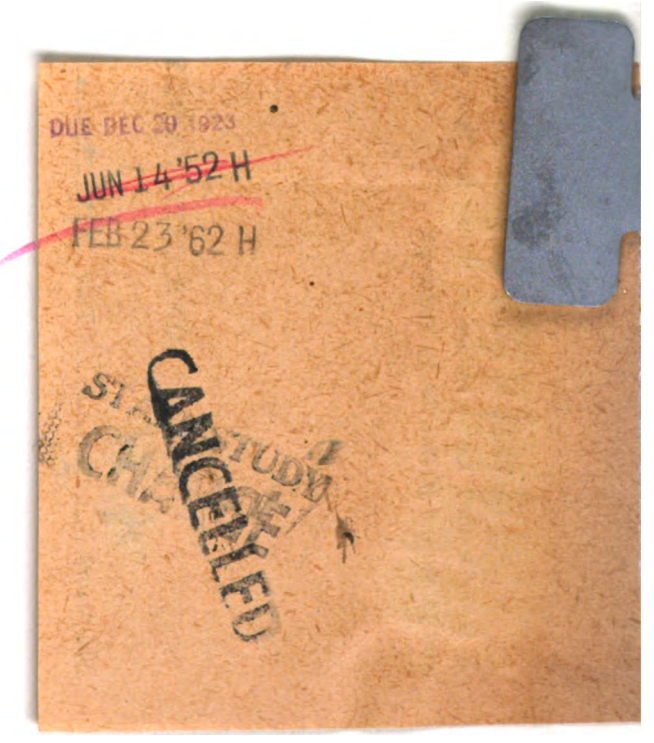
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